

Exhibit J

to
Webb Declaration

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UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

IN RE CATHODE RAY TUBE (CRT)
ANTITRUST LITIGATION

Case No. C07-5944 SC

MDL NO. 1917

Judge: Hon. Samuel Conti

Special Master: Hon. Charles A. Legge (Ret.)

This Document Relates To:
 DIRECT PURCHASER ACTION

**DEFENDANT HITACHI AMERICA,
 LTD.'S RESPONSE TO SECOND SET
 OF REQUESTS FOR PRODUCTION
 OF DOCUMENTS FROM DIRECT
 PURCHASER PLAINTIFFS**

PROPOUNDING PARTY: DIRECT PURCHASER PLAINTIFFS

RESPONDING PARTIES: HITACHI AMERICA, LTD.

SET NUMBER: SECOND (Nos. 1-40 [sic] 6-45)

Defendant Hitachi America, Ltd. ("Responding Party") hereby timely objects and
 responds to Direct Purchaser Plaintiffs' ("Plaintiffs" or "Requesting Party") Second Set of
 Requests for the Production of Documents ("Document Requests") served on March 12, 2010,
 and each document request set forth therein ("Responses"), as follows.

GENERAL OBJECTIONS

1
2 1. Responding Party's responses are based upon information and writings available
3 to and located by Responding Party as of the date of service of these Responses. Responding
4 Party has not completed its investigation of the facts relating to the Document Requests, and all of
5 the information supplied and documents and things produced are based only on such information
6 and documents that are reasonably available and specifically known to Responding Party as of the
7 date of service of its response.

8 2. No express, incidental or implied admissions are intended by these Responses.
9 The fact that Responding Party agrees to provide information in response to a particular request is
10 not intended and shall not be construed as an admission that Responding Party accepts or admits
11 the existence of any such information set forth in or assumed by such request, or that any such
12 information and/or document constitutes admissible evidence. The fact that Responding Party
13 agrees to provide information in response to a particular request is not intended and shall not be
14 construed as a waiver by Responding Party of any part of any objection to such request or any
15 part of any general objection made herein.

16 3. Responding Party reserves the right to change, amend, or supplement its objections
17 at a later date. If Plaintiffs assert an interpretation of any aspect of the Document Requests or any
18 of the requests therein that is different from that made by Responding Party, Responding Party
19 reserves the right to supplement its objections if such interpretations made by Plaintiffs are held
20 to be applicable.

21 4. Responding Party objects to the Document Requests, and each request therein, to
22 the extent they are vague, ambiguous, or contain terms that are insufficiently defined.

23 5. Responding Party objects to the Document Requests, and each request therein, as
24 overly broad, unduly burdensome, oppressive and beyond the proper scope of discovery.

25 6. If multiple, identical copies of any document are responsive to the requests herein,
26 only one representative copy will be produced. Producing more than one identical copy is unduly
27 burdensome and oppressive.

28 7. Responding Party objects to the Document Requests, and each request therein, to

1 the extent they seek documents and materials on matters not relevant to the subject matter of this
2 action, not admissible in evidence, and not reasonably calculated to lead to the discovery of
3 admissible evidence.

4 8. Responding Party objects to the Document Requests, and each request therein, to
5 the extent they seek to impose on it discovery obligations inconsistent with, or not authorized
6 under, the Federal Rules of Civil Procedure or the Federal Rules of Evidence.

7 9. Responding Party objects to the Document Requests, and to each request therein,
8 to the extent they seek to impose on it discovery obligations inconsistent with, or not authorized
9 under, the Local Rules of the United States District Court in and for the Northern District of
10 California (the "Local Rules").

11 10. Responding Party objects to the Document Requests, and to each request therein,
12 to the extent they seek to impose on it discovery obligations exceeding the scope of the
13 Stipulation and Order to Extend Limited Discovery Stay that the Court entered on January 5,
14 2010 (the "Stay Order").

15 11. Responding Party objects to the Document Requests, and each request therein, to
16 the extent they seek documents and information that are beyond the scope of the Sherman
17 Antitrust Act, 15 U.S.C. § 1.

18 12. Responding Party objects to the Document Requests, and each request therein, to
19 the extent they fail to describe the documents and things sought with a reasonable degree of
20 specificity.

21 13. Responding Party shall attempt to construe the terms and phrases used by
22 Plaintiffs in a way to give those terms and phrases a meaning which will result in the production
23 of relevant information or information designed to lead to the discovery of admissible evidence.

24 14. Responding Party objects to the Document Requests, and each request therein, to
25 the extent they seek the discovery of documents regarding Responding Party's sales outside of the
26 United States and unrelated to United States commerce, as such sales are beyond the scope of this
27 litigation and thereby render the Document Requests overly broad, unduly burdensome, and not
28 reasonably calculated to lead to the discovery of admissible evidence.

1 15. Responding Party objects to the Document Requests, and each request therein, to
2 the extent they seek documents, including but not limited to electronic documents, the disclosure
3 of which is prohibited by a law, regulation, or order of a court or other authority of a foreign
4 jurisdiction in which the documents are located.

5 16. Responding Party objects to the Document Requests, and each request therein, to
6 the extent they seek documents that are no longer active or readily accessible on Responding
7 Party's database but might exist in electronic archives or back-up files. Responding Party will
8 not rebuild these electronic archives and back-up files in order to search for documents that may
9 be responsive to the Document Requests. Based on the dates of the information sought, a portion
10 of Responding Party's potential responsive data will likely not be on active databases.

11 17. Responding Party objects to the Document Requests, and each request therein, to
12 the extent they seek to impose on Responding Party an obligation to investigate or discover
13 information or materials from third parties or sources who are equally accessible to Plaintiffs.

14 18. Responding Party objects to the Document Requests and each request therein, to
15 the extent they contain duplicative requests, in whole or in part. To the extent responsive
16 documents have previously been produced, they will not be produced again.

17 19. Responding Party objects to the Document Requests, and each request therein, to
18 the extent that they purport to call for Responding Party to engage in an investigation or to obtain
19 information and/or documents not in its personal possession, custody or control. In addition,
20 Responding Party objects to the extent the Document Requests require Responding Party to
21 respond and/or produce documents on behalf of any person or entity other than itself.

22 20. Responding Party objects to the Document Requests, and each request therein, to
23 the extent that they seek documents that are in the public record or which are equally accessible to
24 the Plaintiffs as to Responding Party.

25 21. Responding Party objects to the Document Requests, and each request therein, to
26 the extent that they attempt and/or purport to call for production of any information and/or
27 documents that are privileged, including, but not limited to, documents and materials that were
28 prepared in anticipation of litigation, ADR, or for trial, that reveal communications between

1 Responding Party and its legal counsel, and/or that otherwise constitute attorney-work product,
2 joint defense or common interest privilege, or by any other applicable doctrine or privilege, or
3 that are otherwise privileged or immune from discovery. Inadvertent testimony, production, or
4 disclosure of any such information and/or document is not intended to and shall not constitute a
5 waiver of any privilege or any other ground for objecting to discovery with respect to such
6 testimony, information, and/or document, or with respect to the subject matter thereof. Nor shall
7 such inadvertent production or disclosure waive Responding Party's right to object to the use of
8 any such testimony, information, and/or document during this action or in any other or
9 subsequent proceeding. Hence, Responding Party objects to each request to the extent each seeks
10 testimony, documents, and information that are protected by the attorney-client privilege and/or
11 the attorney work product doctrine.

12 22. No response herein should be deemed or construed as a representation that
13 Responding Party agrees with or acquiesces in the characterization of any fact, assumption or
14 conclusion of law contained in or implied by the Document Requests.

15 23. Responding Party objects to the Document Requests, and each request therein, to
16 the extent they seek information and/or documents that would disclose proprietary information,
17 trade secrets or other confidential research, development, or other confidential information
18 protected by the Uniform Trade Secrets Act, among others, any and all rights of privacy under the
19 United States Constitution or Article I of the Constitution of the State of California, or any other
20 applicable law or state constitution, or that is otherwise prohibited from disclosure because to do
21 so would cause Responding Party to violate legal and/or contractual obligations to any other
22 persons or entities. Where applicable, Responding Party's Responses to the Document Requests
23 are subject to the provisions of the Stipulated Protective Order that the Court entered on June 18,
24 2008 (the "Protective Order"). Responding Party's Responses are hereby designated
25 "Confidential" in accordance with the provisions of the Protective Order.

26 24. By representing that it will or will not produce documents, Responding Party does
27 not represent that such documents exist.
28

25. Subject to and without waving any of the foregoing objections, each of which is expressly incorporated into each individual response below as if fully stated therein, Responding Party expressly reserves the following rights:

a. Any and all testimony and information provided and/or documents produced by Responding Party in response to the Document Requests are and will remain subject to all objections as to relevance, materiality, propriety, and admissibility, as well as to any and all other objections on any grounds that would require the exclusion of the testimony, information, and/or document or any portion thereof if such testimony, information, and/or document was offered in evidence, all of which objections and grounds are hereby expressly reserved and may be interposed at the time of any written discovery, deposition, or at or before any hearing, arbitration or trial in this matter;

b. The right to object on any ground whatsoever at any time to any demand for further responses to the Document Requests or any other discovery procedures involving or relating to the subject matter of the Document Requests; and

c. The right to supplement the documents produced, or otherwise to supplement, revise or explain the information contained therein in light of information gathered through further investigation and discovery.

OBJECTIONS TO DEFINITIONS AND INSTRUCTIONS

DEFINITION NO. 1:

“All” should be construed to include the collective as well as the singular and shall mean “each,” “any,” and “every.”

OBJECTION TO DEFINITION NO. 1:

No objection.

DEFINITION NO. 2:

“Any” shall be construed to mean “any and all.”

OBJECTION TO DEFINITION NO. 2:

No objection.

DEFINITION NO. 3:

“Communication” means without limitation, oral or written communications of any kind, such as electronic communications, e-mails, facsimiles, telephone communications, correspondence, exchange of written or recorded information, or face-to-face Meetings. The phrase “communication between” is defined to include instances where one party addresses the other party but the other party does not necessarily respond.

OBJECTION TO DEFINITION NO. 3:

Responding Party objects to this definition to the extent it attempts to impose obligations on Responding Party and/or seeks documents beyond those required to be produced pursuant to the Federal Rules of Civil Procedure.

DEFINITION NO. 4:

“Date” means the exact day, month and year, if ascertainable, or the best available approximation, including any relationship to other known events (designate whether exact or approximate).

OBJECTION TO DEFINITION NO. 4:

No objection.

DEFINITION NO. 5:

“Defendant” means any company, organization, entity or person presently or subsequently named as a defendant in this litigation.

OBJECTION TO DEFINITION NO. 5:

Responding Party objects to this definition to the extent it attempts to impose obligations on Responding Party and/or seeks documents beyond those required to be produced pursuant to the Federal Rules of Civil Procedure.

Responding Party objects to this definition on the ground it calls for a legal conclusion.

Responding Party objects to this definition as vague, ambiguous, unintelligible, overly broad to the extent it seeks documents and information that are not relevant to the subject matter of this action, not admissible in evidence, not reasonably calculated to lead to the discovery of admissible evidence, and unduly burdensome to search for and produce.

1 Responding Party objects to this definition to the extent it seeks information and
 2 documents that would disclose Responding Party's or a third party's respective trade secrets or
 3 other confidential research, development, or confidential information protected by the Uniform
 4 Trade Secrets Act, any and all rights of privacy under the United States Constitution or Article
 5 One of the Constitution of the State of California, or any other applicable state constitution or
 6 law, or which is otherwise prohibited from disclosure because to do so would cause Responding
 7 Party to violate legal or contractual obligations to any other persons or entities. Where it may be
 8 appropriate to do so and with adequate protections and limitations, Responding Party expressly
 9 reserves the right to provide such documents an/or information only pursuant to the Protective
 10 Order in this action.

11 Responding Party objects to this definition to the extent that it attempts or purports to call
 12 for the production of any information and/or documents that are privileged, that were prepared in
 13 anticipation of litigation or trial, that reveal communications between Responding Party and its
 14 legal counsel, that otherwise constitute attorney work product, are subject to the joint defense or
 15 common interest privilege, or that are otherwise privileged or immune from discovery.

16 Responding Party objects to this definition to the extent it is intended to include persons
 17 or entities other than Responding Party. To the extent and in the context a request uses the term
 18 "Defendant," Responding Party understands that the request and its obligations only extend to
 19 information and/or documents within Responding Party's possession, custody or control.

20 Responding Party objects to this definition to the extent that it calls for documents or
 21 information beyond Responding Party's knowledge. In addition, Responding Party objects to this
 22 definition to the extent that it requires Responding Party to respond and/or produce documents or
 23 information on behalf of any person or entity other than itself.

24 Responding Party will respond on behalf of Hitachi America, Ltd. only.

25 **DEFINITION NO. 6:**

26 "Document" means without limitation, the original and all non-identical copies of all
 27 items subject to discovery under Rule 34 of the Federal Rules of Civil Procedure. This definition
 28 includes, without limitation, letters, correspondence, memoranda, legal pleadings, calendars,

1 diaries, travel records, summaries, records of telephone conversations, telegrams, notes, reports,
 2 compilations, notebooks, work papers, graphs, charts, blueprints, books, pamphlets, brochures,
 3 circulars, manuals, instructions, ledgers, drawings, sketches, photographs, videotapes, audiotapes,
 4 film and sound reproductions, e-mails, internal or external web sites, compact discs, computer
 5 files and disks, sales, advertising and promotional literature, agreements, stored recordings,
 6 minutes or other records of meetings, all written or graphic records or representations of any kind,
 7 and all mechanical or electronic data, records or representations of any kind.

8 **OBJECTION TO DEFINITION NO. 6:**

9 Responding Party objects to this definition to the extent that it seeks to expand the scope
 10 of Rule 34 of the Federal Rules of Civil Procedure.

11 Responding Party also objects to this definition as overly broad to the extent it seeks
 12 documents and/or information that are not relevant to the subject matter of this action, not
 13 admissible in evidence, not reasonably calculated to lead to the discovery of admissible evidence,
 14 and unduly burdensome to search for and produce.

15 **DEFINITION NO. 7:**

16 “Electronic data” includes, without limitation, the following:

- 17 a. activity listings of electronic mail receipts and/or transmittals;
- 18 b. output resulting from the use of any software program, including, without
 19 limitation, word processing documents, spreadsheets, database files, charts, graphs and outlines,
 20 electronic mail, AOL Instant Messenger™ (or similar program) or bulletin board programs,
 21 operating systems, source code, PRF files, PRC files, batch files, ASCII files, and all
 22 miscellaneous media on which they reside and regardless of whether said electronic data exists in an
 23 active file, a deleted file, or file fragment;
- 24 c. any and all items stored on computer memories, hard disks, floppy disks,
 25 CD-ROM, magnetic tape, microfiche, or in any other vehicle for digital data storage and/or
 26 transmittal, such as, but not limited to, a personal digital assistant, *e.g.*, Palm Pilot, R.I.M.,
 27 Blackberry, or similar device, and file folder tabs, and/or containers and labels appended to, or
 28 relating to, any physical storage device associated with each original and/or copy of all

documents requested herein.

OBJECTION TO DEFINITION NO. 7:

Responding Party objects to this definition to the extent it attempts to impose obligations on Responding Party and/or seeks documents beyond those required to be produced pursuant to the Federal Rules of Civil Procedure.

Responding Party also objects to this definition as overly broad to the extent it seeks documents and/or information that are not relevant to the subject matter of this action, not admissible in evidence, not reasonably calculated to lead to the discovery of admissible evidence, and unduly burdensome to search for and produce.

Responding Party objects to this definition to the extent it seeks documents that are no longer active or readily accessible on Responding Party's database but might exist in electronic archives or back-up files. Responding Party will not rebuild these electronic archives and back-up files in order to search for documents that may be responsive to the Document Requests. Based on the dates of the information sought, a portion of Responding Party's potential responsive data will likely not be on active databases.

DEFINITION NO. 8:

"Employee" means, without limitation, any current or former officer, director, executive, manager, secretary, staff member, messenger, agent or other person who is or was employed by a defendant.

OBJECTION TO DEFINITION NO. 8:

Responding Party objects to this definition to the extent it attempts to impose obligations on Responding Party and/or seeks documents beyond those required to be produced pursuant to the Federal Rules of Civil Procedure.

Responding Party objects to this definition on the ground it calls for a legal conclusion.

Responding Party objects to this definition as vague, ambiguous, unintelligible, overly broad to the extent it seeks documents and information that are not relevant to the subject matter of this action, not admissible in evidence, not reasonably calculated to lead to the discovery of admissible evidence, and unduly burdensome to search for and produce.

1 Responding Party objects to this definition to the extent it seeks information and
2 documents that would disclose Responding Party's or a third party's respective trade secrets or
3 other confidential research, development, or confidential information protected by the Uniform
4 Trade Secrets Act, any and all rights of privacy under the United States Constitution or Article
5 One of the Constitution of the State of California, or any other applicable state constitution or
6 law, or which is otherwise prohibited from disclosure because to do so would cause Responding
7 Party to violate legal or contractual obligations to any other persons or entities. Where it may be
8 appropriate to do so and with adequate protections and limitations, Responding Party expressly
9 reserves the right to provide such information and/or documents only pursuant to the Protective
10 Order in this action.

11 Responding Party objects to this definition to the extent that it attempts or purports to call
12 for the production of any documents and/or information that are privileged, that were prepared in
13 anticipation of litigation or trial, that reveal communications between Responding Party and its
14 legal counsel, that otherwise constitute attorney work product, or that are otherwise privileged or
15 immune from discovery.

16 Responding Party objects to this definition to the extent it is intended to include persons
17 or entities other than Responding Party. To the extent and in the context a request uses the term
18 "Defendant," Responding Party understands that the request and its obligations only extend to
19 documents and/or information within Responding Party's possession, custody or control.

20 Responding Party objects to this definition to the extent that it calls for documents and/or
21 information beyond Responding Party's knowledge. In addition, Responding Party objects to this
22 definition to the extent that it requires Responding Party to respond and/or produce documents
23 and/or information on behalf of any person or entity other than itself.

24 Responding Party will respond on behalf of Hitachi America, Ltd. only.

25 **DEFINITION NO. 9:**

26 "Including" is used to emphasize certain types of documents requested and should not be
27 construed as limiting the request in any way.

1 **OBJECTION TO DEFINITION NO. 9:**

2 No objection.

3 **DEFINITION NO. 10:**

4 “Meeting” means, without limitation, any assembly, convocation, encounter, or
5 contemporaneous presence of two or more persons for any purpose, whether planned or arranged,
6 scheduled or not.

7 **OBJECTION TO DEFINITION NO. 10:**

8 No objection.

9 **DEFINITION NO. 11:**

10 “Or” and “and” should be construed so as to require the broadest possible response. If, for
11 example, a request calls for information about “A or B” or “A and B,” you should produce all
12 information about A and all information about B, as well as all information about A and B
13 collectively. In other words, “or” and “and” should be read as “and/or.”

14 **OBJECTION TO DEFINITION NO. 11:**

15 No objection.

16 **DEFINITION NO. 12:**

17 “Person” means, without limitation, any natural person, corporation, partnership, limited
18 liability company, proprietorship, joint venture, association, government entity, group or other
19 form of legal entity.

20 **OBJECTION TO DEFINITION NO. 12:**

21 Responding Party objects to this definition to the extent it attempts to impose obligations
22 on Responding Party and/or seeks documents beyond those required to be produced pursuant to
23 the Federal Rules of Civil Procedure.

24 Responding Party objects to this definition on the ground it calls for a legal conclusion.

25 Responding Party objects to this definition as vague, ambiguous, unintelligible, overly
26 broad to the extent it seeks documents and information that are not relevant to the subject matter
27 of this action, not admissible in evidence, not reasonably calculated to lead to the discovery of
28 admissible evidence, and unduly burdensome to search for and produce.

1 Responding Party objects to this definition to the extent it seeks information and
 2 documents that would disclose Responding Party's or a third party's respective trade secrets or
 3 other confidential research, development, or confidential information protected by the Uniform
 4 Trade Secrets Act, any and all rights of privacy under the United States Constitution or Article
 5 One of the Constitution of the State of California, or any other applicable state constitution or
 6 law, or which is otherwise prohibited from disclosure because to do so would cause Responding
 7 Party to violate legal or contractual obligations to any other persons or entities. Where it may be
 8 appropriate to do so and with adequate protections and limitations, Responding Party expressly
 9 reserves the right to provide such information and/or documents only pursuant to the Protective
 10 Order in this action.

11 Responding Party objects to this definition to the extent that it attempts or purports to call
 12 for the production of any documents and/or information that are privileged, that were prepared in
 13 anticipation of litigation or trial, that reveal communications between Responding Party and its
 14 legal counsel, that otherwise constitute attorney work product, or that are otherwise privileged or
 15 immune from discovery.

16 Responding Party objects to this definition to the extent it is intended to include persons
 17 or entities other than Responding Party. To the extent and in the context a request uses the term
 18 "Person," Responding Party understands that the request and its obligations only extend to
 19 documents and/or information within Responding Party's possession, custody or control.

20 Responding Party objects to this definition to the extent that it calls for documents and/or
 21 information beyond Responding Party's knowledge. In addition, Responding Party objects to this
 22 definition to the extent that it requires Responding Party to respond and/or produce document
 23 and/or information on behalf of any person or entity other than itself.

24 Responding Party will respond on behalf of Hitachi America, Ltd. only.

25 **DEFINITION NO. 13:**

26 "Relating to," "referring to," "regarding," or "with respect to" mean, without limitation,
 27 the following concepts: discussing, describing, reflecting, dealing with, pertaining to, analyzing,
 28 evaluating, estimating, constituting, studying, surveying, projecting, assessing, recording,

1 summarizing, criticizing, reporting, commenting, or otherwise involving, in whole or in part.

2 **OBJECTION TO DEFINITION NO. 13:**

3 Responding Party objects to this definition to the extent it attempts to impose obligations
4 on Responding Party and/or seeks documents, beyond those required to be produced pursuant to
5 the Federal Rules of Civil Procedure.

6 Responding Party objects to the expressions “relating to,” “referring to,” “regarding,” or
7 “with respect to” to the extent they mean more than comprising, or on its face discusses, pertains
8 to or is connected with a well-defined, unambiguous and identifiable topic or subject matter.

9 Responding Party objects to this definition because responding to such overly broad,
10 vague and ambiguous requests would be unduly burdensome and oppressive.

11 **DEFINITION NO. 14:**

12 “CRT” means cathode ray tube(s) and “CRT products” means products containing
13 cathode ray tubes.

14 **OBJECTION TO DEFINITION NO. 14:**

15 Responding Party objects to this definition to the extent it attempts to impose obligations
16 on Responding Party and/or seeks documents beyond those required to be produced pursuant to
17 the Federal Rules of Civil Procedure.

18 Responding Party objects to this definition on the ground the term “CRT Products” is
19 vague, ambiguous, unintelligible, and overly broad to the extent it seeks documents and
20 information that are not relevant to the subject matter of this action, not admissible in evidence,
21 not reasonably calculated to lead to the discovery of admissible evidence, and unduly burdensome
22 to search for and produce. Moreover, any discovery as to “CRT Products” that is not reasonably
23 related to Plaintiffs’ claims with respect to an alleged conspiracy involving CRTs is premature
24 and overly burdensome until such time as Plaintiffs establish a reasonable basis for their claims
25 regarding “CRT Products” to justify the enormous burden that Plaintiffs seek to impose on
26 Responding Party by pursuing discovery as to all such products.

27 **DEFINITION NO. 15:**

28 “You,” “Your,” or “Your company” mean the responding Defendant, its predecessors,

1 successors, subsidiaries, departments, divisions, and/or affiliates, including without limitation any
2 organization or entity which the responding Defendant manages or controls, together with all
3 present and former directors, officers, Employees, agents, representatives or any persons acting or
4 purporting to act on behalf of the responding defendant.

5 **OBJECTION TO DEFINITION NO. 15:**

6 Responding Party objects to this definition to the extent it attempts to impose obligations
7 on Responding Party and/or seeks documents beyond those required to be produced pursuant to
8 the Federal Rules of Civil Procedure.

9 Responding Party objects to this definition on the ground it calls for a legal conclusion.

10 Responding Party objects to this definition as vague, ambiguous, unintelligible, overly
11 broad to the extent it seeks documents and information that are not relevant to the subject matter
12 of this action, not admissible in evidence, not reasonably calculated to lead to the discovery of
13 admissible evidence, and unduly burdensome to search for and produce.

14 Responding Party objects to this definition to the extent it seeks documents and
15 information that would disclose Responding Party's or a third party's respective trade secrets or
16 other confidential research, development, or confidential information protected by the Uniform
17 Trade Secrets Act, any and all rights of privacy under the United States Constitution or Article
18 One of the Constitution of the State of California, or any other applicable state constitution or
19 law, or which is otherwise prohibited from disclosure because to do so would cause Responding
20 Party to violate legal or contractual obligations to any other persons or entities. Where it may be
21 appropriate to do so and with adequate protections and limitations, Responding Party expressly
22 reserves the right to provide such information and/or documents only pursuant to the Protective
23 Order in this action.

24 Responding Party objects to this definition to the extent that it attempts or purports to call
25 for the production of any documents and/or information that are privileged, that were prepared in
26 anticipation of litigation or trial, that reveal communications between Responding Party and its
27 legal counsel, that otherwise constitute attorney work product, are subject to the joint defense or
28 common interest privilege, or that are otherwise privileged or immune from discovery.

1 Responding Party objects to this definition to the extent it is intended to include persons
 2 or entities other than Responding Party. To the extent and in the context a request uses the term
 3 “You,” “Your,” or “Your Company,” Responding Party understands that the request and its
 4 obligations only extend to documents and/or information within Responding Party’s possession,
 5 custody or control.

6 Responding Party objects to this definition to the extent that it calls for documents and/or
 7 information beyond Responding Party’s knowledge. In addition, Responding Party objects to this
 8 definition to the extent that it requires Responding Party to respond and/or produce documents
 9 and/or information on behalf of any person or entity other than itself.

10 Responding Party will respond on behalf of Hitachi America, Ltd. only.

11 **INSTRUCTION NO. 1:**

12 Unless otherwise noted, the Relevant Time Period for these document requests is January
 13 1, 1995 through the present (the “Relevant Time Period”). These Document requests seek all
 14 responsive Documents created or generated during the Relevant Time Period, as well as
 15 responsive Documents created or generated outside the Relevant Time Period, but which contain
 16 information concerning the Relevant Time Period.

17 **OBJECTION TO INSTRUCTION NO. 1:**

18 Responding Party objects to this instruction on the grounds it is vague, ambiguous,
 19 unintelligible, over broad and seeks information or materials on matters not relevant to the subject
 20 matter of this action, not admissible in evidence, and not reasonably calculated to lead to the
 21 discovery of admissible evidence.

22 The “Relevant Time Period” as defined in this instruction exceeds the putative class
 23 period, which begins on January 1, 1995 and ends on November 25, 2007 (Direct Purchaser
 24 Plaintiffs’ Consolidated Amended Complaint ¶ 1), and seeks documents and information beyond
 25 the statute of limitations. Judge Conti has directed the parties to Judge Legge to develop
 26 procedures for the early resolution of statute of limitations issues and to reduce the burden in
 27 connection therewith. Responding Party believes it is premature for it to have to produce any
 28 documents from prior to the statute of limitations period until Judge Legge considers this issue

1 and determines the proper scope of that burden.

2 For purposes of responding to these Document Requests, Responding Party will interpret
3 “Relevant Time Period” to mean November 26, 2003 through November 25, 2007.

4 **INSTRUCTION NO. 2:**

5 To the extent Documents responsive to any of these Document requests have already been
6 produced to plaintiffs, there is no need to produce those Documents a second time. Instead,
7 please provide the bates numbers of any responsive Documents already produced.

8 **OBJECTION TO INSTRUCTION NO. 2:**

9 Responding Party objects to this instruction to the extent it attempts to impose obligations
10 on Responding Party and/or seeks documents beyond those required to be produced pursuant to
11 the Federal Rules of Civil Procedure.

12 Responding Party objects to this instruction on the ground it is unduly burdensome and
13 oppressive.

14 **INSTRUCTION NO. 3:**

15 Pursuant to Rule 26(e) of the Federal Rules of Civil Procedure, these Document requests
16 are continuing in nature so that if You subsequently discover or obtain possession, custody, or
17 control of any Document covered by these requests, You shall promptly make any such
18 Document available to plaintiffs.

19 **OBJECTION TO INSTRUCTION NO. 3:**

20 Responding Party objects to this instruction to the extent it attempts to impose obligations
21 on Responding Party and/or seeks documents beyond those required to be produced pursuant to
22 the Federal Rules of Civil Procedure.

23 **INSTRUCTION NO. 4:**

24 In producing documents and other materials, you are to furnish all Documents or things in
25 Your possession, custody or control, regardless of whether such documents or materials are
26 possessed directly by You or Your Employees, agents, parent company(ies), subsidiaries,
27 affiliates, investigators or by Your attorneys or their Employees, agents or investigators.

1 **OBJECTION TO INSTRUCTION NO. 4:**

2 Responding Party objects to this instruction to the extent it attempts to impose obligations
3 on Responding Party and/or seeks documents beyond those required to be produced pursuant to
4 the Federal Rules of Civil Procedure.

5 Responding Party objects to this instruction on the ground it calls for a legal conclusion.

6 Responding Party objects to this instruction as vague, ambiguous, unintelligible, overly
7 broad to the extent it seeks documents and information that are not relevant to the subject matter
8 of this action, not admissible in evidence, not reasonably calculated to lead to the discovery of
9 admissible evidence, and unduly burdensome to search for and produce.

10 Responding Party objects to this instruction to the extent it seeks documents and
11 information that would disclose Responding Party's or a third party's respective trade secrets or
12 other confidential research, development, or confidential information protected by the Uniform
13 Trade Secrets Act, any and all rights of privacy under the United States Constitution or Article
14 One of the Constitution of the State of California, or any other applicable state constitution or
15 law, or which is otherwise prohibited from disclosure because to do so would cause Responding
16 Party to violate legal or contractual obligations to any other persons or entities. Where it may be
17 appropriate to do so and with adequate protections and limitations, Responding Party expressly
18 reserves the right to provide such information and/or documents only pursuant to the Protective
19 Order in this action.

20 Responding Party objects to this instruction to the extent that it attempts or purports to call
21 for the production of any documents and/or information that are privileged, that were prepared in
22 anticipation of litigation or trial, that reveal communications between Responding Party and its
23 legal counsel, that otherwise constitute attorney work product, are subject to the joint defense or
24 common interest privilege, or that are otherwise privileged or immune from discovery.

25 Responding Party objects to this instruction to the extent it is intended to include persons
26 or entities other than Responding Party. To the extent and in the context a request uses the term
27 "Defendant," Responding Party understands that the request and its obligations only extend to
28 documents and/or information within Responding Party's possession, custody or control.

1 Responding Party objects to this instruction to the extent that it calls for documents and/or
2 information beyond Responding Party's knowledge. In addition, Responding Party objects to this
3 instruction to the extent that it requires Responding Party to respond and/or produce documents
4 and/or information on behalf of any person or entity other than itself.

5 Responding Party will respond on behalf of Hitachi America, Ltd. only.

6 **INSTRUCTION NO. 5:**

7 Pursuant to Rule 34(b) of the Federal Rules of Civil Procedure, all Documents shall be
8 produced in the same order as they are kept or maintained by You in the ordinary course of Your
9 business. All Documents shall be produced in the file folder, envelope or other container in
10 which the Documents are kept or maintained. If for any reason the container cannot be produced,
11 You should produce copies of all labels or other identifying marks which may be present on the
12 container.

13 **OBJECTION TO INSTRUCTION NO. 5:**

14 Responding Party objects to this instruction to the extent it attempts to impose obligations
15 on Responding Party and/or seeks documents beyond those required to be produced pursuant to
16 the Federal Rules of Civil Procedure.

17 **INSTRUCTION NO. 6:**

18 Documents shall be produced in such fashion as to identify the department, branch or
19 office in whose possession they were located and, where applicable, the natural person in whose
20 possession they were found and the business address of each Document(s) custodian(s).

21 **OBJECTION TO INSTRUCTION NO. 6:**

22 Responding Party objects to this instruction to the extent it attempts to impose obligations
23 on Responding Party and/or seeks documents beyond those required to be produced pursuant to
24 the Federal Rules of Civil Procedure.

25 Responding Party objects to this instruction on the ground it is unduly burdensome and
26 oppressive.

27 **INSTRUCTION NO. 7:**

28 Documents attached to one another should not be separated. If any portion of any

Document is responsive to any portion of the Document requests below, then the entire Document must be produced.

OBJECTION TO INSTRUCTION NO. 7:

Responding Party objects to this instruction to the extent it attempts to impose obligations on Responding Party and/or seeks documents beyond those required to be produced pursuant to the Federal Rules of Civil Procedure.

INSTRUCTION NO. 8:

If a Document once existed and subsequently has been lost, destroyed or is otherwise missing, You should provide sufficient information to identify the Document and state, in writing, the details, including whether the Document:

- a. is lost or missing;
- b. has been destroyed and, if so, by whom at whose request;
- c. has been transferred or delivered, voluntarily or involuntarily, to another person or entity and at whose request; and/or
- d. has been otherwise disposed of.

OBJECTION TO INSTRUCTION NO. 8:

Responding Party objects to this instruction to the extent it attempts to impose obligations on Responding Party and/or seeks documents beyond those required to be produced pursuant to the Federal Rules of Civil Procedure.

Responding Party objects on the grounds that it is impossible to identify, describe, and further explain the circumstances regarding every document that ever “once existed and subsequently has been lost, destroyed, or is otherwise missing.” To the extent that it is even possible to identify, describe, and explain the circumstances regarding such documents, this investigation would impose a unique, time-consuming and unreasonable burden.

Responding Party objects to this instruction on the ground it is unduly burdensome and oppressive.

INSTRUCTION NO. 9:

In each instance in which a Document once existed and subsequently is lost, missing,

1 destroyed, or otherwise disposed of, explain the circumstances surrounding the disposition of the
2 Document, including, but not limited to:

- 3 a. the identity of the person or entity who last possessed the Document;
- 4 b. the date or approximate date of the Documents disposition; and
- 5 c. the identity of all Persons who have or had knowledge of the Document's
6 contents.

7 **OBJECTION TO INSTRUCTION NO. 9:**

8 Responding Party objects to this instruction to the extent it attempts to impose obligations
9 on Responding Party and/or seeks documents beyond those required to be produced pursuant to
10 the Federal Rules of Civil Procedure.

11 Responding Party objects to this instruction on the ground it is unduly burdensome and
12 oppressive.

13 **INSTRUCTION NO. 10:**

14 If any Document responsive to any of these requests is privileged, and the Document or
15 any portion of the Document requested is withheld based on a claim of privilege pursuant to Rule
16 26(b)(5) of the Federal Rules of Civil Procedure, provide a statement of the claim of privilege and
17 all facts relied upon in support of that claim, including the following information:

- 18 a. the reason for withholding the Document;
- 19 b. the date of such communication;
- 20 c. the medium of such communication;
- 21 d. the general subject matter of such communication (such description shall
22 not be considered a waiver of Your claimed privilege);
- 23 e. the identity of any Document that was the subject of such communication
24 and the present location of any such Document;
- 25 f. the identity of the Persons involved in such communication;
- 26 g. the identity of any Document which records, refers, or relates to such
27 communication and present location of any such Document;
- 28 h. the paragraph or paragraphs of these requests for production of Documents

1 to which such information is responsive.

2 **OBJECTION TO INSTRUCTION NO. 10:**

3 Responding Party objects to this instruction to the extent it attempts to impose obligations
4 on Responding Party and/or seeks documents beyond those required to be produced pursuant to
5 the Federal Rules of Civil Procedure or the Federal Rules of Evidence.

6 **INSTRUCTION NO. 11:**

7 Each Document requested herein should be produced in its entirety and without deletion,
8 redaction or excisions, except as qualified by Instruction 10 above, regardless of whether You
9 consider the entire Document or only part of it to be relevant or responsive to these Document
10 requests. If you have redacted any portion of a Document, stamp the word “REDACTED” beside
11 the redacted information on each page of the Document which you have redacted. Any
12 redactions to Documents produced should be identified in accordance with Instruction 10 above.

13 **OBJECTION TO INSTRUCTION NO. 11:**

14 Responding Party objects to this instruction to the extent it attempts to impose obligations
15 on Responding Party and/or seeks documents beyond those required to be produced pursuant to
16 the Federal Rules of Civil Procedure.

17 **INSTRUCTION NO. 12:**

18 All Documents produced should be Bates numbered sequentially, with a unique number
19 on each page, and with a prefix identifying the party producing the Document.

20 **OBJECTION TO INSTRUCTION NO. 12:**

21 No objection.

22 **INSTRUCTION NO. 13:**

23 Pursuant to Federal Rule of Civil Procedure 34(b)(1)(C), the responding party must
24 produce any electronically stored information (“ESI”) in its native format. If ESI in its native
25 format can only be accessed by proprietary or legacy software, or is password protected, or
26 encrypted, the responding party must meet and confer with plaintiffs’ lead counsel so the
27 receiving party shall receive all information and software necessary to access the ESI.
28

OBJECTION TO INSTRUCTION NO. 13:

Responding Party objects to this instruction to the extent it attempts to impose obligations on Responding Party and/or seeks documents beyond those required to be produced pursuant to the Federal Rules of Civil Procedure.

Responding Party objects to this instruction to the extent it seeks documents and information that would disclose Responding Party's or a third party's respective trade secrets or other confidential research, development, or confidential information protected by the Uniform Trade Secrets Act, any and all rights of privacy under the United States Constitution or Article One of the Constitution of the State of California, or any other applicable state constitution or law, including any copyright or license, or which is otherwise prohibited from disclosure because to do so would cause Responding Party to violate legal or contractual obligations to any other persons or entities. Where it may be appropriate to do so and with adequate protections and limitations, Responding Party expressly reserves the right to provide such information and/or documents only pursuant to the Protective Order in this action.

Each of the foregoing General Objections and Objections to Definitions and Instructions is incorporated into the following specific objections. Accordingly, each specific objection is made subject to, and without waiver of, the foregoing General Objections and Objections to Definitions and Instructions. Responding Party incorporates by reference each and every General Objection and Objection to Definitions and Instructions into each and every specific response. From time to time a specific response may repeat a General Objection or Object to the Definitions and Instructions for emphasis or some other reason. The failure to repeat any General Objection or Objection to the Definitions and Instructions in any specific response shall not be interpreted as a waiver of any General Objection or Objection to the Definitions and Instructions to that response.

SPECIFIC RESPONSES TO DOCUMENT REQUESTS**REQUEST NO. 1 [SIC] REQUEST NO. 6:**

Documents sufficient to show Your corporate structure or organization throughout the relevant period, including, but not limited to, departments, divisions, parents, subsidiaries, joint

1 ventures, affiliates, or other sub-units that were engaged during any part of the relevant period in
2 the manufacture, marketing, sale or distribution of CRT or CRT Products in the United States,
3 including, where applicable, the percentage of any stock or other interests owned by each entity in
4 the chain.

5 **RESPONSE TO REQUEST NO. 1 [SIC] REQUEST NO. 6:**

6 Responding Party reasserts and incorporates each of the General Objections and
7 Objections to Definitions and Instructions set forth above.

8 Responding Party objects to this request on the grounds that it is overly broad, unduly
9 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence
10 including to the extent that it seeks the discovery of documents regarding Responding Party's
11 sales outside of the United States and unrelated to United States commerce, as such sales are
12 beyond the scope of this litigation and thereby render the Document Requests overly broad,
13 unduly burdensome, and not reasonably calculated to lead to the discovery of admissible
14 evidence.

15 Responding Party objects to this request on the grounds that it seeks production of
16 documents protected by the attorney-client privilege, work product doctrine, joint defense or
17 common interest privilege, or by any other applicable doctrine or privilege.

18 Responding Party objects to this request on the grounds it seeks information and/or
19 documents that would disclose confidential information protected by any and all rights of privacy
20 under the United States Constitution or any other applicable law, or that is otherwise prohibited
21 from disclosure because to do so would cause Responding Party to violate legal and/or
22 contractual obligations to any other persons or entities.

23 Responding Party objects to this request on the grounds that, to the extent it seeks
24 documents regarding "CRT Products," as distinguished from "CRTs," this request is vague and
25 ambiguous, overly broad and unduly burdensome, and purports to call for information that is not
26 relevant to the claim or defense of any party, not relevant to the subject matter involved in this
27 action, and not reasonably calculated to lead to the discovery of admissible evidence.

28 Responding Party objects on the grounds that the "Relevant Time Period" is overly broad

1 and not relevant, rendering the request not reasonably calculated to lead to the discovery of
 2 admissible evidence as the Complaint does not allege a continuing conspiracy, the end of the
 3 class period is November 25, 2007, and claims prior to November 26, 2003, are barred by the
 4 statute of limitations.

5 Responding Party objects to this request on the grounds that, to the extent it seeks
 6 documents not related to CRTs only, this request is overly broad and unduly burdensome and
 7 purports to call for information that is not relevant to the claim or defense of any party, not
 8 relevant to the subject matter involved in this action, and not reasonably calculated to lead to the
 9 discovery of admissible evidence.

10 Responding Party objects to the extent this request seeks documents that are no longer
 11 active or readily accessible in electronic form which renders this request overly broad and unduly
 12 burdensome.

13 Responding Party objects to this request to the extent this request is duplicative of
 14 Document Request No. 3 of Plaintiffs' First Set of Requests for Production of Documents.

15 Subject to and without waiving the general and specific objections stated above,
 16 Responding Party responds that it had no sales of CRTs during the time period of November 26,
 17 2003 through November 25, 2007, and, thus, has no documents responsive to this request.

18 **REQUEST NO. 2 [SIC] REQUEST NO. 7:**

19 As to each of Your divisions, subdivisions, departments, units, subsidiaries, parents,
 20 affiliates and joint ventures, Documents sufficient to identify each executive or Employee with
 21 managerial authority who had responsibilities or duties with respect to each of the following:

- 22 (a) the manufacturing or production of CRT or CRT Products;
- 23 (b) the marketing of CRT or CRT Products;
- 24 (c) the pricing of CRT or CRT Products;
- 25 (d) the sale or distribution of CRT or CRT Products;
- 26 (e) maintaining any electronic database(s), including archives, of e-mail or other
- 27 electronic Documents relating to CRT or CRT Products.
- 28

RESPONSE TO REQUEST NO. 2 [SIC] REQUEST NO. 7:

Responding Party reasserts and incorporates each of the General Objections and Objections to Definitions and Instructions set forth above.

Responding Party objects to this request on the grounds that it is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence including to the extent that it seeks the discovery of documents regarding Responding Party's sales outside of the United States and unrelated to United States commerce, as such sales are beyond the scope of this litigation and thereby render the Document Requests overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

Responding Party objects to this request on the grounds that it seeks production of documents protected by the attorney-client privilege, work product doctrine, joint defense or common interest privilege, or by any other applicable doctrine or privilege.

Responding Party objects to this request on the grounds it seeks information and/or documents that would disclose confidential information protected by any and all rights of privacy under the United States Constitution or any other applicable law, or that is otherwise prohibited from disclosure because to do so would cause Responding Party to violate legal and/or contractual obligations to any other persons or entities.

Responding Party objects to this request on the grounds that, to the extent it seeks documents regarding "CRT Products," as distinguished from "CRTs," this request is vague and ambiguous, overly broad and unduly burdensome, and purports to call for information that is not relevant to the claim or defense of any party, not relevant to the subject matter involved in this action, and not reasonably calculated to lead to the discovery of admissible evidence.

Responding Party objects on the grounds that the "Relevant Time Period" is overly broad and not relevant, rendering the request not reasonably calculated to lead to the discovery of admissible evidence as the Complaint does not allege a continuing conspiracy, the end of the class period is November 25, 2007, and claims prior to November 26, 2003, are barred by the statute of limitations.

1 Responding Party objects to this request on the grounds that, to the extent it seeks
 2 documents not related to CRTs only, this request is overly broad and unduly burdensome and
 3 purports to call for information that is not relevant to the claim or defense of any party, not
 4 relevant to the subject matter involved in this action, and not reasonably calculated to lead to the
 5 discovery of admissible evidence.

6 Responding Party objects to the extent this request seeks documents that are no longer
 7 active or readily accessible in electronic form which renders this request overly broad and unduly
 8 burdensome.

9 Responding Party objects that the term “managerial authority” is vague and ambiguous,
 10 rendering this request overly broad and unduly burdensome, not relevant and not reasonably
 11 calculated to lead to the discovery of admissible evidence.

12 Responding Party objects to this request to the extent this request is duplicative of
 13 Document Request No. 4 of Plaintiffs’ First Set of Requests for Production of Documents.

14 Subject to and without waiving the general and specific objections stated above,
 15 Responding Party responds that it had no sales of CRTs during the time period of November 26,
 16 2003 through November 25, 2007, and, thus, has no documents responsive to this request.

17 **REQUEST NO. 3 [SIC] REQUEST NO. 8:**

18 Documents sufficient to describe Your policies or practices with respect to the retention or
 19 destruction of Documents during the period January 1, 1991 through the present, and, if such
 20 policy or practice has been different with respect to any category of Documents or over different
 21 times, Documents sufficient to identify each such category or time period and to describe Your
 22 retention policy or practice with respect to each such category or time period.

23 **RESPONSE TO REQUEST NO. 3 [SIC] REQUEST NO. 8:**

24 Responding Party reasserts and incorporates each of the General Objections and
 25 Objections to Definitions and Instructions set forth above.

26 Responding Party objects to this request on the grounds that it is overly broad, unduly
 27 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

28 Responding Party objects to this request on the grounds it seeks information and/or

1 documents that would disclose confidential information protected by any and all rights of privacy
2 under the United States Constitution or any other applicable law, or that is otherwise prohibited
3 from disclosure because to do so would cause Responding Party to violate legal and/or
4 contractual obligations to any other persons or entities.

5 Responding Party objects to this request on the grounds that it seeks production of
6 documents protected by the attorney-client privilege, work product doctrine, joint defense or
7 common interest privilege, or by any other applicable doctrine or privilege.

8 Responding Party objects on the grounds that the “Relevant Time Period” is overly broad
9 and not relevant, rendering the request not reasonably calculated to lead to the discovery of
10 admissible evidence as the Complaint does not allege a continuing conspiracy, the end of the
11 class period is November 25, 2007, and claims prior to November 26, 2003, are barred by the
12 statute of limitations.

13 Responding Party objects to this request on the grounds that, to the extent it seeks
14 documents not related to CRTs only, this request is overly broad and unduly burdensome and
15 purports to call for information that is not relevant to the claim or defense of any party, not
16 relevant to the subject matter involved in this action, and not reasonably calculated to lead to the
17 discovery of admissible evidence

18 Responding Party objects to this request on the grounds that, to the extent it seeks
19 documents not related to the allegations in the Complaint, the request is overly broad and unduly
20 burdensome, and purports to call for information that is not relevant to the claim or defense of
21 any party, not relevant to the subject matter involved in this action, and not reasonably calculated
22 to lead to the discovery of admissible evidence.

23 Subject to and without waiving the general and specific objections stated above,
24 Responding Party will produce those non-privileged, responsive documents within the limitations
25 period within its possession, custody or control, to the extent any such documents exist.

26 **REQUEST NO. 4 [SIC] REQUEST NO. 9:**

27 Documents sufficient to show the manner in which You have maintained records relating
28 to CRT or CRT Products during the period January 1, 1991 through the present, including

1 Documents sufficient to describe all electronic data processing systems, programs and outputs
2 used to record, store, compute, analyze or retrieve electronically stored information relating to
3 Your pricing, production, distribution, marketing or sale of CRT or CRT Products in the United
4 States.

5 **RESPONSE TO REQUEST NO. 4 [SIC] REQUEST NO. 9:**

6 Responding Party reasserts and incorporates each of the General Objections and
7 Objections to Definitions and Instructions set forth above.

8 Responding Party objects to this request on the grounds that it is overly broad, unduly
9 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

10 Responding Party objects to this request on the grounds that it seeks production of
11 documents protected by the attorney-client privilege, work product doctrine, joint defense or
12 common interest privilege, or by any other applicable doctrine or privilege.

13 Responding Party objects to this request on the grounds it seeks information and/or
14 documents that would disclose confidential information protected by any and all rights of privacy
15 under the United States Constitution or any other applicable law, or that is otherwise prohibited
16 from disclosure because to do so would cause Responding Party to violate legal and/or
17 contractual obligations to any other persons or entities.

18 Responding Party objects to this request on the grounds that, to the extent it seeks
19 documents regarding “CRT Products,” as distinguished from “CRTs,” this request is vague and
20 ambiguous, overly broad and unduly burdensome, and purports to call for information that is not
21 relevant to the claim or defense of any party, not relevant to the subject matter involved in this
22 action, and not reasonably calculated to lead to the discovery of admissible evidence.

23 Responding Party objects on the grounds that the “Relevant Time Period” is overly broad
24 and not relevant, rendering the request not reasonably calculated to lead to the discovery of
25 admissible evidence as the Complaint does not allege a continuing conspiracy, the end of the
26 class period is November 25, 2007, and claims prior to November 26, 2003, are barred by the
27 statute of limitations.

28 Responding Party objects on the grounds that, to the extent this request seeks documents

1 not related to the allegations in the Complaint, this request is overly broad and unduly
 2 burdensome, and purports to call for information that is not relevant to the claim or defense of
 3 any party, not relevant to the subject matter involved in this action, and not reasonably calculated
 4 to lead to the discovery of admissible evidence.

5 Responding Party objects that the phrase “manner in which You have maintained records”
 6 is vague, ambiguous, and unintelligible, rendering the request overly broad and unduly
 7 burdensome, not relevant and not reasonably calculated to lead to the discovery of admissible
 8 evidence.

9 Subject to and without waiving the general and specific objections stated above,
 10 Responding Party will produce those non-privileged, responsive documents within the limitations
 11 period within its possession, custody or control, to the extent any such documents exist.

12 **REQUEST NO. 5 [SIC] REQUEST NO. 10:**

13 All Documents and electronic data relating to Your sales of CRT or CRT Products during
 14 the period January 1, 1991 through the present, including, but not limited to:

- 15 a) customer names, customer billing addresses, and customer ship-to addresses;
- 16 b) sales terms;
- 17 c) sales dates and shipment dates;
- 18 d) product type, class, category, description, and respective use;
- 19 e) sales volumes;
- 20 f) unit price information, gross price, and actual net prices;
- 21 g) discounts, credits, and rebates;
- 22 h) shipping charges and terms;
- 23 i) any other related charges; and
- 24 j) amounts paid, dates paid, invoice numbers, and purchase order numbers. If such
 25 data are not kept, or have not been kept, in electronic form in the ordinary course
 26 of Your business or are otherwise not available in electronic form, please produce
 27 such data in hard copy.

RESPONSE TO REQUEST NO. 5 [SIC] REQUEST NO. 10:

Responding Party reasserts and incorporates each of the General Objections and Objections to Definitions and Instructions set forth above.

Responding Party objects to this request on the grounds that it is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence including to the extent that it seeks the discovery of documents regarding Responding Party's sales outside of the United States and unrelated to United States commerce, as such sales are beyond the scope of this litigation and thereby render the Document Requests overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

Responding Party objects to this request on the grounds that it seeks production of documents protected by the attorney-client privilege, work product doctrine, joint defense or common interest privilege, or by any other applicable doctrine or privilege.

Responding Party objects to this request on the grounds it seeks information and/or documents that would disclose confidential information protected by any and all rights of privacy under the United States Constitution or any other applicable law, or that is otherwise prohibited from disclosure because to do so would cause Responding Party to violate legal and/or contractual obligations to any other persons or entities.

Responding Party objects to this request on the grounds that, to the extent it seeks documents regarding "CRT Products," as distinguished from "CRTs," this request is vague and ambiguous, overly broad and unduly burdensome, and purports to call for information that is not relevant to the claim or defense of any party, not relevant to the subject matter involved in this action, and not reasonably calculated to lead to the discovery of admissible evidence.

Responding Party objects on the grounds that the "Relevant Time Period" is overly broad and not relevant, rendering the request not reasonably calculated to lead to the discovery of admissible evidence as the Complaint does not allege a continuing conspiracy, the end of the class period is November 25, 2007, and claims prior to November 26, 2003, are barred by the statute of limitations.

1 Responding Party objects on the grounds that it seeks documents not in existence or not
2 currently in its possession, custody or control.

3 Responding Party objects to the extent this request seeks documents that are no longer
4 active or readily accessible in electronic form which renders this request overly broad and unduly
5 burdensome.

6 Responding Party objects that the terms “respective use” and “related charges” are vague,
7 ambiguous and unintelligible, rendering this request overly broad and unduly burdensome, not
8 relevant and not reasonably calculated to lead to the discovery of admissible evidence.

9 Responding Party objects to the extent this request is duplicative of Document Request
10 No. 5 of Plaintiffs’ First Set of Requests for Production.

11 Subject to and without waiving the general and specific objections stated above,
12 Responding Party responds that it had no sales of CRTs during the time period of November 26,
13 2003 through November 25, 2007, and, thus, has no documents responsive to this request.

14 **REQUEST NO. 6 [SIC] REQUEST NO. 11:**

15 All software instructions, programs, manuals, or other Documents necessary to operate,
16 run or understand any of the programs maintained on the computer-related equipment or system
17 utilized by You to maintain, gain access to or read data produced in response to Request Nos. 4-5,
18 including all record laYouts [sic], field codes or other descriptions.

19 **RESPONSE TO REQUEST NO. 6 [SIC] REQUEST NO. 11:**

20 Responding Party reasserts and incorporates each of the General Objections and
21 Objections to Definitions and Instructions set forth above.

22 Responding Party objects to this request on the grounds that it is overly broad, unduly
23 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence
24 including to the extent that it seeks the discovery of documents regarding Responding Party’s
25 sales outside of the United States and unrelated to United States commerce, as such sales are
26 beyond the scope of this litigation and thereby render the Document Requests overly broad,
27 unduly burdensome, and not reasonably calculated to lead to the discovery of admissible
28 evidence.

1 Responding Party objects to this request on the grounds that it seeks production of
2 documents protected by the attorney-client privilege, work product doctrine, joint defense or
3 common interest privilege, or by any other applicable doctrine or privilege.

4 Responding Party objects to this request on the grounds it seeks information and/or
5 documents that would disclose confidential information protected by any and all rights of privacy
6 under the United States Constitution or any other applicable law, including copyright and
7 licensing agreements, or that is otherwise prohibited from disclosure because to do so would
8 cause Responding Party to violate legal and/or contractual obligations to any other persons or
9 entities.

10 Responding Party objects to this request on the grounds that, to the extent it seeks
11 documents regarding “CRT Products,” as distinguished from “CRTs,” this request is vague and
12 ambiguous, overly broad and unduly burdensome, and purports to call for information that is not
13 relevant to the claim or defense of any party, not relevant to the subject matter involved in this
14 action, and not reasonably calculated to lead to the discovery of admissible evidence.

15 Responding Party objects on the grounds that the “Relevant Time Period” is overly broad
16 and not relevant, rendering the request not reasonably calculated to lead to the discovery of
17 admissible evidence as the Complaint does not allege a continuing conspiracy, the end of the
18 class period is November 25, 2007, and claims prior to November 26, 2003, are barred by the
19 statute of limitations.

20 Responding Party objects to the extent this request seeks documents that are no longer
21 active or readily accessible in electronic form which renders this request overly broad and unduly
22 burdensome.

23 Responding Party objects on the grounds that, to the extent this request seeks documents
24 not related to the allegations in the Complaint, this request is overly broad and unduly
25 burdensome, and purports to call for information that is not relevant to the claim or defense of
26 any party, not relevant to the subject matter involved in this action, and not reasonably calculated
27 to lead to the discovery of admissible evidence.

28 Responding Party objects on the grounds that it seeks documents not in existence or not

1 currently in its possession, custody or control.

2 Responding Party objects that the apparent typographical error “all record laYouts”
3 renders this request ambiguous and unintelligible.

4 Subject to and without waiving the general and specific objections stated above,
5 Responding Party responds that it had no sales of CRTs during the time period of November 26,
6 2003 through November 25, 2007, and, thus, has no documents responsive to this request.

7 **REQUEST NO. 7 [SIC] REQUEST NO. 12:**

8 All Documents relating to policies, methods, formulas or factors to be used in
9 determining, computing or quoting prices, including any rebates or discounts, in connection with
10 the sale of CRT or CRT Products.

11 **RESPONSE TO REQUEST NO. 7 [SIC] REQUEST NO. 12:**

12 Responding Party reasserts and incorporates each of the General Objections and
13 Objections to Definitions and Instructions set forth above.

14 Responding Party objects to this request on the grounds that it is overly broad, unduly
15 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence
16 including to the extent that it seeks the discovery of documents regarding Responding Party’s
17 sales outside of the United States and unrelated to United States commerce, as such sales are
18 beyond the scope of this litigation and thereby render the Document Requests overly broad,
19 unduly burdensome, and not reasonably calculated to lead to the discovery of admissible
20 evidence.

21 Responding Party objects to this request on the grounds that it seeks production of
22 documents protected by the attorney-client privilege, work product doctrine, joint defense or
23 common interest privilege, or by any other applicable doctrine or privilege.

24 Responding Party objects to this request on the grounds it seeks information and/or
25 documents that would disclose confidential information protected by any and all rights of privacy
26 under the United States Constitution or any other applicable law, or that is otherwise prohibited
27 from disclosure because to do so would cause Responding Party to violate legal and/or
28 contractual obligations to any other persons or entities.

1 Responding Party objects to this request on the grounds that, to the extent it seeks
2 documents regarding “CRT Products,” as distinguished from “CRTs,” this request is vague and
3 ambiguous, overly broad and unduly burdensome, and purports to call for information that is not
4 relevant to the claim or defense of any party, not relevant to the subject matter involved in this
5 action, and not reasonably calculated to lead to the discovery of admissible evidence.

6 Responding Party objects on the grounds that the “Relevant Time Period” is overly broad
7 and not relevant, rendering the request not reasonably calculated to lead to the discovery of
8 admissible evidence as the Complaint does not allege a continuing conspiracy, the end of the
9 class period is November 25, 2007, and claims prior to November 26, 2003, are barred by the
10 statute of limitations.

11 Responding Party objects to the extent this request seeks documents that are no longer
12 active or readily accessible in electronic form which renders this request overly broad and unduly
13 burdensome.

14 Responding Party objects to the extent this request seeks documents or information that is
15 not within the possession, custody, or control of Responding Party.

16 Responding Party objects that the phrases “methods, formulas or factors” and
17 “determining, computing or quoting prices” are vague, ambiguous and unintelligible, rendering
18 the request overly broad and unduly burdensome, not relevant and not reasonably calculated to
19 lead to the discovery of admissible evidence.

20 Responding Party objects to this request to the extent it seeks documents or information
21 that will be the subject of expert discovery, as expert discovery has not commenced in this matter.

22 Subject to and without waiving the general and specific objections stated above,
23 Responding Party responds that it had no sales of CRTs during the time period of November 26,
24 2003 through November 25, 2007, and, thus, has no documents responsive to this request.

25 **REQUEST NO. 8 [SIC] REQUEST NO. 13:**

26 All Documents relating to any published prices for CRT or CRT Products during the
27 period January 1, 1991 through the present, including price announcements, price lists, price
28 schedules, or price changes communicated to customers in the United States.

RESPONSE TO REQUEST NO. 8 [SIC] REQUEST NO. 13:

Responding Party reasserts and incorporates each of the General Objections and Objections to Definitions and Instructions set forth above.

Responding Party objects to this request on the grounds that it is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence including to the extent that it seeks the discovery of documents regarding Responding Party's sales outside of the United States and unrelated to United States commerce, as such sales are beyond the scope of this litigation and thereby render the Document Requests overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

Responding Party objects to this request on the grounds that it seeks production of documents protected by the attorney-client privilege, work product doctrine, joint defense or common interest privilege, or by any other applicable doctrine or privilege.

Responding Party objects to this request on the grounds it seeks information and/or documents that would disclose confidential information protected by any and all rights of privacy under the United States Constitution or any other applicable law, or that is otherwise prohibited from disclosure because to do so would cause Responding Party to violate legal and/or contractual obligations to any other persons or entities.

Responding Party objects to this request on the grounds that, to the extent it seeks documents regarding "CRT Products," as distinguished from "CRTs," this request is vague and ambiguous, overly broad and unduly burdensome, and purports to call for information that is not relevant to the claim or defense of any party, not relevant to the subject matter involved in this action, and not reasonably calculated to lead to the discovery of admissible evidence.

Responding Party objects on the grounds that the "Relevant Time Period" is overly broad and not relevant, rendering the request not reasonably calculated to lead to the discovery of admissible evidence as the Complaint does not allege a continuing conspiracy, the end of the class period is November 25, 2007, and claims prior to November 26, 2003, are barred by the statute of limitations.

1 Responding Party objects to the extent this request seeks documents that are no longer
2 active or readily accessible in electronic form which renders this request overly broad and unduly
3 burdensome.

4 Responding Party objects to the extent this request seeks documents or information that is
5 not within the possession, custody, or control of Responding Party.

6 Responding Party objects that the terms “published prices” and “customers” are vague,
7 ambiguous, and unintelligible, rendering the request overly broad and unduly burdensome, not
8 relevant and not reasonably calculated to lead to the discovery of admissible evidence.

9 Responding Party objects that the term “customers in the United States” calls for a legal
10 conclusion.

11 Responding Party objects to the extent this request seeks documents or information that
12 require discovery of information and materials from third parties or sources that are equally if not
13 more accessible to Plaintiffs.

14 Responding Party objects to the extent this request seeks documents or information that
15 will be the subject of expert discovery, as expert discovery has not commenced in this matter.

16 Subject to and without waiving the general and specific objections stated above,
17 Responding Party responds that it had no sales of CRTs during the time period of November 26,
18 2003 through November 25, 2007, and, thus, has no documents responsive to this request.

19 **REQUEST NO. 9 [SIC] REQUEST NO. 14:**

20 All Documents relating to contracts, offers or proposals for CRT or CRT Products sales
21 during the period January 1, 1991 through the present.

22 **RESPONSE TO REQUEST NO. 9 [SIC] REQUEST NO. 14:**

23 Responding Party reasserts and incorporates each of the General Objections and
24 Objections to Definitions and Instructions set forth above.

25 Responding Party objects to this request on the grounds that it is overly broad, unduly
26 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence
27 including to the extent that it seeks the discovery of documents regarding Responding Party’s
28 sales outside of the United States and unrelated to United States commerce, as such sales are

1 beyond the scope of this litigation and thereby render the Document Requests overly broad,
2 unduly burdensome, and not reasonably calculated to lead to the discovery of admissible
3 evidence.

4 Responding Party objects to this request on the grounds that it seeks production of
5 documents protected by the attorney-client privilege, work product doctrine, joint defense or
6 common interest privilege, or by any other applicable doctrine or privilege.

7 Responding Party objects to this request on the grounds it seeks information and/or
8 documents that would disclose confidential information protected by any and all rights of privacy
9 under the United States Constitution or any other applicable law, or that is otherwise prohibited
10 from disclosure because to do so would cause Responding Party to violate legal and/or
11 contractual obligations to any other persons or entities.

12 Responding Party objects to this request on the grounds that, to the extent it seeks
13 documents regarding “CRT Products,” as distinguished from “CRTs,” this request is vague and
14 ambiguous, overly broad and unduly burdensome, and purports to call for information that is not
15 relevant to the claim or defense of any party, not relevant to the subject matter involved in this
16 action, and not reasonably calculated to lead to the discovery of admissible evidence.

17 Responding Party objects on the grounds that the “Relevant Time Period” is overly broad
18 and not relevant, rendering the request not reasonably calculated to lead to the discovery of
19 admissible evidence as the Complaint does not allege a continuing conspiracy, the end of the
20 class period is November 25, 2007, and claims prior to November 26, 2003, are barred by the
21 statute of limitations.

22 Responding Party objects to the extent this request seeks documents that are no longer
23 active or readily accessible in electronic form which renders this request overly broad and unduly
24 burdensome.

25 Responding Party objects to the extent this request seeks documents or information that is
26 not within the possession, custody, or control of Responding Party.

27 Responding Party objects that the phrase “contracts, offers or proposals” is vague,
28 ambiguous and unintelligible, rendering this request overly broad and unduly burdensome, not

1 relevant and not reasonably calculated to lead to the discovery of admissible evidence.

2 Responding Party objects to the extent this request seeks documents or information that
3 require discovery of information and materials from third parties or sources that are equally if not
4 more accessible to Plaintiffs.

5 Responding Party objects to the extent this request seeks documents or information that
6 will be the subject of expert discovery, as expert discovery has not commenced in this matter.

7 Subject to and without waiving the general and specific objections stated above,
8 Responding Party responds that it had no sales of CRTs during the time period of November 26,
9 2003 through November 25, 2007, and, thus, has no documents responsive to this request.

10 **REQUEST NO. 10 [SIC] REQUEST NO. 15:**

11 Documents sufficient to identify each of Your facilities that produced CRT or CRT
12 Products from January 1, 1991 through the present, and for each such facility, all Documents
13 relating to:

- 14 a) capacity, rated capacity, production and capacity utilization during each year of the
15 Relevant Time Period;
- 16 b) any proposed or actual change in the capacity to produce CRT or CRT Products;
- 17 c) any reason for changes in each facility's actual production of CRT or CRT
18 Products;
- 19 d) the identity of all persons who had decision-making or supervisory responsibility
20 regarding CRT or CRT Products production;
- 21 e) each type, class, category and respective use of CRT or CRT Products produced
22 and the amounts of each produced during each month of the relevant period;
- 23 f) any production shutdowns or slowdowns of CRT or CRT Products production and
24 reasons for such shutdowns or slowdowns; and
- 25 g) any projected production forecasts;
- 26 h) any future plans to construct, joint venture or purchase fabrication plants used to
27 manufacture or produce CRT or CRT Products.

RESPONSE TO REQUEST NO. 10 [SIC] REQUEST NO. 15:

Responding Party reasserts and incorporates each of the General Objections and Objections to Definitions and Instructions set forth above.

Responding Party objects to this request on the grounds that it is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence including to the extent that it seeks the discovery of documents regarding Responding Party's sales outside of the United States and unrelated to United States commerce, as such sales are beyond the scope of this litigation and thereby render the Document Requests overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

Responding Party objects to this request on the grounds that it seeks production of documents protected by the attorney-client privilege, work product doctrine, joint defense or common interest privilege, or by any other applicable doctrine or privilege.

Responding Party objects to this request on the grounds it seeks information and/or documents that would disclose confidential information protected by any and all rights of privacy under the United States Constitution or any other applicable law, or that is otherwise prohibited from disclosure because to do so would cause Responding Party to violate legal and/or contractual obligations to any other persons or entities.

Responding Party objects to this request on the grounds that, to the extent it seeks documents regarding "CRT Products," as distinguished from "CRTs," this request is vague and ambiguous, overly broad and unduly burdensome, and purports to call for information that is not relevant to the claim or defense of any party, not relevant to the subject matter involved in this action, and not reasonably calculated to lead to the discovery of admissible evidence.

Responding Party objects on the grounds that the "Relevant Time Period" is overly broad and not relevant, rendering the request not reasonably calculated to lead to the discovery of admissible evidence as the Complaint does not allege a continuing conspiracy, the end of the class period is November 25, 2007, and claims prior to November 26, 2003, are barred by the statute of limitations.

1 Responding Party objects to the extent this request seeks documents that are no longer
2 active or readily accessible in electronic form which renders this request overly broad and unduly
3 burdensome.

4 Responding Party objects to the extent this request seeks documents or information that is
5 not within the possession, custody, or control of Responding Party.

6 Responding Party objects that the definition of the term “Your” is vague, ambiguous, and
7 unintelligible, rendering the request overly broad and unduly burdensome, not relevant, and not
8 reasonably calculated to lead to the discovery of admissible evidence.

9 Responding Party objects that the terms “capacity,” “decision-making or supervisory
10 responsibility,” and “respective use” are vague, ambiguous and unintelligible, rendering the
11 request overly broad and unduly burdensome, not relevant and not reasonably calculated to lead
12 to the discovery of admissible evidence.

13 Responding Party objects to the extent this request is duplicative of Request No. 4 of
14 Plaintiffs’ First Set of Requests for Production.

15 Subject to and without waiving the general and specific objections stated above,
16 Responding Party responds that it had no sales of CRTs during the time period of November 26,
17 2003 through November 25, 2007, and, thus, has no documents responsive to this request.

18 **REQUEST NO. 11 [SIC] REQUEST NO. 16:**

19 Documents sufficient to describe the processes for producing CRT or CRT Products,
20 including but not limited to, any industry standards.

21 **RESPONSE TO REQUEST NO. 11 [SIC] REQUEST NO. 16:**

22 Responding Party reasserts and incorporates each of the General Objections and
23 Objections to Definitions and Instructions set forth above.

24 Responding Party objects to this request on the grounds that it is overly broad, unduly
25 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence
26 including to the extent that it seeks the discovery of documents regarding Responding Party’s
27 sales outside of the United States and unrelated to United States commerce, as such sales are
28 beyond the scope of this litigation and thereby render the Document Requests overly broad,

1 unduly burdensome, and not reasonably calculated to lead to the discovery of admissible
2 evidence.

3 Responding Party objects to this request on the grounds that it seeks production of
4 documents protected by the attorney-client privilege, work product doctrine, joint defense or
5 common interest privilege, or by any other applicable doctrine or privilege.

6 Responding Party objects to this request on the grounds it seeks information and/or
7 documents that would disclose confidential information protected by any and all rights of privacy
8 under the United States Constitution or any other applicable law, or that is otherwise prohibited
9 from disclosure because to do so would cause Responding Party to violate legal and/or
10 contractual obligations to any other persons or entities.

11 Responding Party objects to this request on the grounds that, to the extent it seeks
12 documents regarding “CRT Products,” as distinguished from “CRTs,” this request is vague and
13 ambiguous, overly broad and unduly burdensome, and purports to call for information that is not
14 relevant to the claim or defense of any party, not relevant to the subject matter involved in this
15 action, and not reasonably calculated to lead to the discovery of admissible evidence.

16 Responding Party objects on the grounds that the “Relevant Time Period” is overly broad
17 and not relevant, rendering the request not reasonably calculated to lead to the discovery of
18 admissible evidence as the Complaint does not allege a continuing conspiracy, the end of the
19 class period is November 25, 2007, and claims prior to November 26, 2003, are barred by the
20 statute of limitations.

21 Responding Party objects to the extent this request seeks documents that are no longer
22 active or readily accessible in electronic form which renders this request overly broad and unduly
23 burdensome.

24 Responding Party objects to the extent this request seeks documents or information that is
25 not within the possession, custody, or control of Responding Party.

26 Responding Party objects that the terms “processes for producing” and “industry
27 standards” are vague, ambiguous, and unintelligible, rendering the request overly broad and
28 unduly burdensome, not relevant and not reasonably calculated to lead to the discovery of

1 admissible evidence.

2 Responding Party objects to the extent this request seeks documents or information that
3 require discovery of information and materials from third parties or sources that are equally if not
4 more accessible to Plaintiffs.

5 Responding Party objects to the extent this request seeks documents or information that
6 will be the subject of expert discovery, as expert discovery has not commenced in this matter.

7 Subject to and without waiving the general and specific objections stated above,
8 Responding Party responds that it had no sales of CRTs during the time period of November 26,
9 2003 through November 25, 2007, and, thus, has no documents responsive to this request.

10 **REQUEST NO. 12 [SIC] REQUEST NO. 17:**

11 All Documents relating to the cost of manufacturing, marketing, selling, and distributing
12 CRT or CRT Products during the period January 1, 1991 through the present.

13 **RESPONSE TO REQUEST NO. 12 [SIC] REQUEST NO. 17:**

14 Responding Party reasserts and incorporates each of the General Objections and
15 Objections to Definitions and Instructions set forth above.

16 Responding Party objects to this request on the grounds that it is overly broad, unduly
17 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence
18 including to the extent that it seeks the discovery of documents regarding Responding Party's
19 sales outside of the United States and unrelated to United States commerce, as such sales are
20 beyond the scope of this litigation and thereby render the Document Requests overly broad,
21 unduly burdensome, and not reasonably calculated to lead to the discovery of admissible
22 evidence.

23 Responding Party objects to this request on the grounds that it seeks production of
24 documents protected by the attorney-client privilege, work product doctrine, joint defense or
25 common interest privilege, or by any other applicable doctrine or privilege.

26 Responding Party objects to this request on the grounds it seeks information and/or
27 documents that would disclose confidential information protected by any and all rights of privacy
28 under the United States Constitution or any other applicable law, or that is otherwise prohibited

1 from disclosure because to do so would cause Responding Party to violate legal and/or
2 contractual obligations to any other persons or entities.

3 Responding Party objects to this request on the grounds that, to the extent it seeks
4 documents regarding “CRT Products,” as distinguished from “CRTs,” this request is vague and
5 ambiguous, overly broad and unduly burdensome, and purports to call for information that is not
6 relevant to the claim or defense of any party, not relevant to the subject matter involved in this
7 action, and not reasonably calculated to lead to the discovery of admissible evidence.

8 Responding Party objects on the grounds that the “Relevant Time Period” is overly broad
9 and not relevant, rendering the request not reasonably calculated to lead to the discovery of
10 admissible evidence as the Complaint does not allege a continuing conspiracy, the end of the
11 class period is November 25, 2007, and claims prior to November 26, 2003, are barred by the
12 statute of limitations.

13 Responding Party objects to the extent this request seeks documents that are no longer
14 active or readily accessible in electronic form which renders this request overly broad and unduly
15 burdensome.

16 Responding Party objects to the extent this request seeks documents or information that is
17 not within the possession, custody, or control of Responding Party.

18 Responding Party objects to the extent this request seeks documents or information that
19 require discovery of information and materials from third parties or sources that are equally if not
20 more accessible to Plaintiffs.

21 Responding Party objects to the extent this request seeks documents or information that
22 will be the subject of expert discovery, as expert discovery has not commenced in this matter.

23 Subject to and without waiving the general and specific objections stated above,
24 Responding Party responds that it had no sales of CRTs during the time period of November 26,
25 2003 through November 25, 2007, and, thus, has no documents responsive to this request.

26 **REQUEST NO. 13 [SIC] REQUEST NO. 18:**

27 Documents sufficient to show Your inventory levels of CRT or CRT Products for each
28 month, quarter, calendar year or fiscal year from January 1, 1991 through the present.

RESPONSE TO REQUEST NO. 13 [SIC] REQUEST NO. 18:

Responding Party reasserts and incorporates each of the General Objections and Objections to Definitions and Instructions set forth above.

Responding Party objects to this request on the grounds that it is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence including to the extent that it seeks the discovery of documents regarding Responding Party's sales outside of the United States and unrelated to United States commerce, as such sales are beyond the scope of this litigation and thereby render the Document Requests overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

Responding Party objects to this request on the grounds that it seeks production of documents protected by the attorney-client privilege, work product doctrine, joint defense or common interest privilege, or by any other applicable doctrine or privilege.

Responding Party objects to this request on the grounds it seeks information and/or documents that would disclose confidential information protected by any and all rights of privacy under the United States Constitution or any other applicable law, or that is otherwise prohibited from disclosure because to do so would cause Responding Party to violate legal and/or contractual obligations to any other persons or entities.

Responding Party objects to this request on the grounds that, to the extent it seeks documents regarding "CRT Products," as distinguished from "CRTs," this request is vague and ambiguous, overly broad and unduly burdensome, and purports to call for information that is not relevant to the claim or defense of any party, not relevant to the subject matter involved in this action, and not reasonably calculated to lead to the discovery of admissible evidence.

Responding Party objects on the grounds that the "Relevant Time Period" is overly broad and not relevant, rendering the request not reasonably calculated to lead to the discovery of admissible evidence as the Complaint does not allege a continuing conspiracy, the end of the class period is November 25, 2007, and claims prior to November 26, 2003, are barred by the statute of limitations.

1 Responding Party objects to the extent this request seeks documents that are no longer
2 active or readily accessible in electronic form which renders this request overly broad and unduly
3 burdensome.

4 Responding Party objects that the definition of the term “Your” is vague, ambiguous, and
5 unintelligible, rendering the request overly broad and unduly burdensome, not relevant, and not
6 reasonably calculated to lead to the discovery of admissible evidence.

7 Responding Party objects that the term “inventory levels” is vague, ambiguous, and
8 unintelligible, rendering the request overly broad and unduly burdensome, not relevant, and not
9 reasonably calculated to lead to the discovery of admissible evidence.

10 Subject to and without waiving the general and specific objections stated above,
11 Responding Party responds that it had no sales of CRTs during the time period of November 26,
12 2003 through November 25, 2007, and, thus, has no documents responsive to this request.

13 **REQUEST NO. 14 [SIC] REQUEST NO. 19:**

14 Documents sufficient to identify and quantify all swaps, trades, sales, purchases or
15 transfers of CRT or CRT Products between You and any of Your affiliates, or between You and
16 any other producer of CRT or CRT Products, and the price or any other consideration involved in
17 every such sale, swap, trade, purchase or transfer.

18 **RESPONSE TO REQUEST NO. 14 [SIC] REQUEST NO. 19:**

19 Responding Party reasserts and incorporates each of the General Objections and
20 Objections to Definitions and Instructions set forth above.

21 Responding Party objects to this request on the grounds that it is overly broad, unduly
22 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence
23 including to the extent that it seeks the discovery of documents regarding Responding Party’s
24 sales outside of the United States and unrelated to United States commerce, as such sales are
25 beyond the scope of this litigation and thereby render the Document Requests overly broad,
26 unduly burdensome, and not reasonably calculated to lead to the discovery of admissible
27 evidence.

28 Responding Party objects to this request on the grounds that it seeks production of

1 documents protected by the attorney-client privilege, work product doctrine, joint defense or
2 common interest privilege, or by any other applicable doctrine or privilege.

3 Responding Party objects to this request on the grounds it seeks information and/or
4 documents that would disclose confidential information, third-party confidential information
5 and/or proprietary business information protected by any and all rights of privacy under the
6 United States Constitution or any other applicable law, or that is otherwise prohibited from
7 disclosure because to do so would cause Responding Party to violate legal and/or contractual
8 obligations to any other persons or entities.

9 Responding Party objects to this request on the grounds that, to the extent it seeks
10 documents regarding “CRT Products,” as distinguished from “CRTs,” this request is vague and
11 ambiguous, overly broad and unduly burdensome, and purports to call for information that is not
12 relevant to the claim or defense of any party, not relevant to the subject matter involved in this
13 action, and not reasonably calculated to lead to the discovery of admissible evidence.

14 Responding Party objects on the grounds that the “Relevant Time Period” is overly broad
15 and not relevant, rendering the request not reasonably calculated to lead to the discovery of
16 admissible evidence as the Complaint does not allege a continuing conspiracy, the end of the
17 class period is November 25, 2007, and claims prior to November 26, 2003, are barred by the
18 statute of limitations.

19 Responding Party objects to the extent this request seeks documents that are no longer
20 active or readily accessible in electronic form which renders this request overly broad and unduly
21 burdensome.

22 Responding Party objects that the definition of the terms “You” and “Your” are vague,
23 ambiguous, and unintelligible, rendering the request overly broad and unduly burdensome, not
24 relevant, and not reasonably calculated to lead to the discovery of admissible evidence.

25 Responding Party objects that the terms “affiliates,” “swaps,” “trades,” and “transfers” are
26 vague, ambiguous, and unintelligible, rendering the request overly broad and unduly burdensome,
27 not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

28 Responding Party objects to this request on the grounds that, to the extent it seeks

documents related to “purchases,” it seeks documents and information not related to the allegations in the Complaint, the request is overly broad and unduly burdensome, and purports to call for information that is not relevant to the claim or defense of any party, not relevant to the subject matter involved in this action, and not reasonably calculated to lead to the discovery of admissible evidence.

Subject to and without waiving the general and specific objections stated above, Responding Party responds that it had no sales of CRTs during the time period of November 26, 2003 through November 25, 2007, and, thus, has no documents responsive to this request.

REQUEST NO. 15 [SIC] REQUEST NO. 20:

All Documents relating to any relationship between prices for CRT or CRT Products and any costs of producing, marketing, selling, or distributing CRT or CRT Products during the period January 1, 1991 through the present.

RESPONSE TO REQUEST NO. 15 [SIC] REQUEST NO. 20:

Responding Party reasserts and incorporates each of the General Objections and Objections to Definitions and Instructions set forth above.

Responding Party objects to this request on the grounds that it is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence including to the extent that it seeks the discovery of documents regarding Responding Party’s sales outside of the United States and unrelated to United States commerce, as such sales are beyond the scope of this litigation and thereby render the Document Requests overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

Responding Party objects to this request on the grounds that it seeks production of documents protected by the attorney-client privilege, work product doctrine, joint defense or common interest privilege, or by any other applicable doctrine or privilege.

Responding Party objects to this request on the grounds it seeks information and/or documents that would disclose confidential information protected by any and all rights of privacy under the United States Constitution or any other applicable law, or that is otherwise prohibited

1 from disclosure because to do so would cause Responding Party to violate legal and/or
2 contractual obligations to any other persons or entities.

3 Responding Party objects to this request on the grounds that, to the extent it seeks
4 documents regarding “CRT Products,” as distinguished from “CRTs,” this request is vague and
5 ambiguous, overly broad and unduly burdensome, and purports to call for information that is not
6 relevant to the claim or defense of any party, not relevant to the subject matter involved in this
7 action, and not reasonably calculated to lead to the discovery of admissible evidence.

8 Responding Party objects on the grounds that the “Relevant Time Period” is overly broad
9 and not relevant, rendering the request not reasonably calculated to lead to the discovery of
10 admissible evidence as the Complaint does not allege a continuing conspiracy, the end of the
11 class period is November 25, 2007, and claims prior to November 26, 2003, are barred by the
12 statute of limitations.

13 Responding Party objects to the extent this request seeks documents that are no longer
14 active or readily accessible in electronic form which renders this request overly broad and unduly
15 burdensome.

16 Responding Party objects to the extent this request seeks documents or information that is
17 not within the possession, custody, or control of Responding Party.

18 Responding Party objects that the phrase “relationship between prices” is vague and
19 ambiguous, rendering this request overly broad and unduly burdensome, not relevant and not
20 reasonably calculated to lead to the discovery of admissible evidence.

21 Responding Party objects to the extent this request seeks document relating to “costs of
22 production, marketing, or selling or distributing CRT or CRT Products,” it is duplicative of
23 Request No. 12 of the Document Requests.

24 Responding Party objects to the extent this request seeks documents or information that
25 require discovery of information and materials from third parties or sources that are equally if not
26 more accessible to Plaintiffs.

27 Responding Party objects to the extent this request seeks documents concerning the
28 “prices of CRTs” and “costs of producing” CRTs, this request is duplicative of Document

1 Request Nos. 8 and 12 of the Document Requests.

2 Responding Party objects to the extent this request seeks documents or information that
3 will be the subject of expert discovery, as expert discovery has not commenced in this matter.

4 Subject to and without waiving the general and specific objections stated above,
5 Responding Party responds that it had no sales of CRTs during the time period of November 26,
6 2003 through November 25, 2007, and, thus, has no documents responsive to this request.

7 **REQUEST NO. 16 [SIC] REQUEST NO. 21:**

8 All of Your internal and public annual, quarterly and monthly financial statements,
9 summaries or analyses, including profit-and-loss statements and comparisons to budget that relate
10 to CRT or CRT Products.

11 **RESPONSE TO REQUEST NO. 16 [SIC] REQUEST NO. 21:**

12 Responding Party reasserts and incorporates each of the General Objections and
13 Objections to Definitions and Instructions set forth above.

14 Responding Party objects to this request on the grounds that it is overly broad, unduly
15 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence
16 including to the extent that it seeks the discovery of documents regarding Responding Party's
17 sales outside of the United States and unrelated to United States commerce, as such sales are
18 beyond the scope of this litigation and thereby render the Document Requests overly broad,
19 unduly burdensome, and not reasonably calculated to lead to the discovery of admissible
20 evidence.

21 Responding Party objects to this request on the grounds that it seeks production of
22 documents protected by the attorney-client privilege, work product doctrine, joint defense or
23 common interest privilege, or by any other applicable doctrine or privilege.

24 Responding Party objects to this request on the grounds it seeks information and/or
25 documents that would disclose confidential information protected by any and all rights of privacy
26 under the United States Constitution or any other applicable law, or that is otherwise prohibited
27 from disclosure because to do so would cause Responding Party to violate legal and/or
28 contractual obligations to any other persons or entities.

1 Responding Party objects to this request on the grounds that, to the extent it seeks
2 documents regarding “CRT Products,” as distinguished from “CRTs,” this request is vague and
3 ambiguous, overly broad and unduly burdensome, and purports to call for information that is not
4 relevant to the claim or defense of any party, not relevant to the subject matter involved in this
5 action, and not reasonably calculated to lead to the discovery of admissible evidence.

6 Responding Party objects on the grounds that the “Relevant Time Period” is overly broad
7 and not relevant, rendering the request not reasonably calculated to lead to the discovery of
8 admissible evidence as the Complaint does not allege a continuing conspiracy, the end of the
9 class period is November 25, 2007, and claims prior to November 26, 2003, are barred by the
10 statute of limitations.

11 Responding Party objects to the extent this request seeks documents or information that is
12 not within the possession, custody, or control of Responding Party.

13 Subject to and without waiving the general and specific objections stated above,
14 Responding Party responds that it had no sales of CRTs during the time period of November 26,
15 2003 through November 25, 2007, and, thus, has no documents responsive to this request.

16 **REQUEST NO. 17 [SIC] REQUEST NO. 22:**

17 All business plans, planning analyses, budgets, forecasts, or sales or profit projections
18 relating to CRT or CRT Products.

19 **RESPONSE TO REQUEST NO. 17 [SIC] REQUEST NO. 22:**

20 Responding Party reasserts and incorporates each of the General Objections and
21 Objections to Definitions and Instructions set forth above.

22 Responding Party objects to this request on the grounds that it is overly broad, unduly
23 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence
24 including to the extent that it seeks the discovery of documents regarding Responding Party’s
25 sales outside of the United States and unrelated to United States commerce, as such sales are
26 beyond the scope of this litigation and thereby render the Document Requests overly broad,
27 unduly burdensome, and not reasonably calculated to lead to the discovery of admissible
28 evidence.

1 Responding Party objects to this request on the grounds that it seeks production of
2 documents protected by the attorney-client privilege, work product doctrine, joint defense or
3 common interest privilege, or by any other applicable doctrine or privilege.

4 Responding Party objects to this request on the grounds it seeks information and/or
5 documents that would disclose confidential information protected by any and all rights of privacy
6 under the United States Constitution or any other applicable law, or that is otherwise prohibited
7 from disclosure because to do so would cause Responding Party to violate legal and/or
8 contractual obligations to any other persons or entities.

9 Responding Party objects to this request on the grounds that, to the extent it seeks
10 documents regarding “CRT Products,” as distinguished from “CRTs,” this request is vague and
11 ambiguous, overly broad and unduly burdensome, and purports to call for information that is not
12 relevant to the claim or defense of any party, not relevant to the subject matter involved in this
13 action, and not reasonably calculated to lead to the discovery of admissible evidence.

14 Responding Party objects on the grounds that the “Relevant Time Period” is overly broad
15 and not relevant, rendering the request not reasonably calculated to lead to the discovery of
16 admissible evidence as the Complaint does not allege a continuing conspiracy, the end of the
17 class period is November 25, 2007, and claims prior to November 26, 2003, are barred by the
18 statute of limitations.

19 Responding Party objects to the extent this request seeks documents that are no longer
20 active or readily accessible in electronic form which renders this request overly broad and unduly
21 burdensome.

22 Responding Party objects to the extent this request seeks documents or information that is
23 not within the possession, custody, or control of Responding Party.

24 Responding Party objects that the phrase “business plans, planning analyses, budgets,
25 forecasts, or sales or profit projections” is vague and ambiguous, rendering this request overly
26 broad and unduly burdensome, not relevant and not reasonably calculated to lead to the discovery
27 of admissible evidence.

28 Responding Party objects to the extent this request seeks documents or information that

1 require discovery of information and materials from third parties or sources that are equally if not
2 more accessible to Plaintiffs.

3 Responding Party objects to the extent this request seeks documents or information that
4 will be the subject of expert discovery, as expert discovery has not commenced in this matter.

5 Subject to and without waiving the general and specific objections stated above,
6 Responding Party responds that it had no sales of CRTs during the time period of November 26,
7 2003 through November 25, 2007, and, thus, has no documents responsive to this request.

8 **REQUEST NO. 18 [SIC] REQUEST NO. 23:**

9 Documents sufficient to show the identity of all other producers and sellers of CRT or
10 CRT Products during any portion of the relevant period.

11 **RESPONSE TO REQUEST NO. 18 [SIC] REQUEST NO. 23:**

12 Responding Party reasserts and incorporates each of the General Objections and
13 Objections to Definitions and Instructions set forth above.

14 Responding Party objects to this request on the grounds that it is overly broad, unduly
15 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence
16 including to the extent that it seeks the discovery of documents regarding Responding Party's
17 sales outside of the United States and unrelated to United States commerce, as such sales are
18 beyond the scope of this litigation and thereby render the Document Requests overly broad,
19 unduly burdensome, and not reasonably calculated to lead to the discovery of admissible
20 evidence.

21 Responding Party objects to this request on the grounds that it seeks production of
22 documents protected by the attorney-client privilege, work product doctrine, joint defense or
23 common interest privilege, or by any other applicable doctrine or privilege.

24 Responding Party also objects on the grounds it seeks information and/or documents that
25 would disclose confidential information protected by any and all rights of privacy under the
26 United States Constitution or any other applicable law, or that is otherwise prohibited from
27 disclosure because to do so would cause Responding Party to violate legal and/or contractual
28 obligations to any other persons or entities.

1 Responding Party objects on the grounds that, to the extent it requests documents
2 regarding “CRT Products,” as distinguished from “CRTs,” this request is vague and ambiguous,
3 overly broad and unduly burdensome, and purports to call for information that is not relevant to
4 the claim or defense of any party, not relevant to the subject matter involved in this action, and
5 not reasonably calculated to lead to the discovery of admissible evidence.

6 Responding Party objects on the grounds that the “Relevant Time Period” is overly broad
7 and not relevant, rendering the request not reasonably calculated to lead to the discovery of
8 admissible evidence as the Complaint does not allege a continuing conspiracy, the end of the
9 class period is November 25, 2007, and claims prior to November 26, 2003, are barred by the
10 statute of limitations.

11 Responding Party objects to the extent this request seeks documents that are no longer
12 active or readily accessible in electronic form which renders this request overly broad and unduly
13 burdensome.

14 Responding Party objects to the extent this request seeks documents or information that is
15 not within the possession, custody, or control of Responding Party.

16 Responding Party objects that by seeking documents and information regarding “all other
17 producers and sellers of CRT or CRT Products,” the request is overly broad and unduly
18 burdensome, not relevant, and not reasonably calculated to lead to the discovery of admissible
19 evidence.

20 Responding Party objects to the extent this request seeks documents or information that
21 require discovery of information and materials from third parties or sources that are equally if not
22 more accessible to Plaintiffs.

23 Responding Party objects to the extent this request seeks documents or information that
24 will be the subject of expert discovery, as expert discovery has not commenced in this matter.

25 Subject to and without waiving the general and specific objections stated above,
26 Responding Party responds that it had no sales of CRTs during the time period of November 26,
27 2003 through November 25, 2007, and, thus, has no documents responsive to this request.
28

1 **REQUEST NO. 19 [SIC] REQUEST NO. 24:**

2 All Documents relating to Your percentage or share of industry production, capacity, sales
3 or shipments of CRT or CRT Products, or the percentage or share of industry production,
4 capacity, sales or shipments of any other producer or seller of CRT or CRT Products at any time
5 during the period January 1, 1991 through the present.

6 **RESPONSE TO REQUEST NO. 19 [SIC] REQUEST NO. 24:**

7 Responding Party reasserts and incorporates each of the General Objections and
8 Objections to Definitions and Instructions set forth above.

9 Responding Party objects to this request on the grounds that it is overly broad, unduly
10 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence
11 including to the extent that it seeks the discovery of documents regarding Responding Party's
12 sales outside of the United States and unrelated to United States commerce, as such sales are
13 beyond the scope of this litigation and thereby render the Document Requests overly broad,
14 unduly burdensome, and not reasonably calculated to lead to the discovery of admissible
15 evidence.

16 Responding Party objects to this request on the grounds that it seeks production of
17 documents protected by the attorney-client privilege, work product doctrine, joint defense or
18 common interest privilege, or by any other applicable doctrine or privilege.

19 Responding Party also objects on the grounds it seeks information and/or documents that
20 would disclose confidential information protected by any and all rights of privacy under the
21 United States Constitution or any other applicable law, or that is otherwise prohibited from
22 disclosure because to do so would cause Responding Party to violate legal and/or contractual
23 obligations to any other persons or entities.

24 Responding Party objects to this request on the grounds that, to the extent it requests
25 documents regarding "CRT Products," as distinguished from "CRTs," this request is vague and
26 ambiguous, overly broad and unduly burdensome, and purports to call for information that is not
27 relevant to the claim or defense of any party, not relevant to the subject matter involved in this
28 action, and not reasonably calculated to lead to the discovery of admissible evidence.

1 Responding Party objects on the grounds that the “Relevant Time Period” is overly broad
2 and not relevant, rendering the request not reasonably calculated to lead to the discovery of
3 admissible evidence as the Complaint does not allege a continuing conspiracy, the end of the
4 class period is November 25, 2007, and claims prior to November 26, 2003, are barred by the
5 statute of limitations.

6 Responding Party objects to the extent this request seeks documents that are no longer
7 active or readily accessible in electronic form which renders this request overly broad and unduly
8 burdensome.

9 Responding Party objects to the extent this request seeks documents or information that is
10 not within the possession, custody, or control of Responding Party.

11 Responding Party objects that the phrase “percentage or share of industry production,
12 capacity, sales or shipments” is vague and ambiguous, rendering this request overly broad and
13 unduly burdensome, not relevant and not reasonably calculated to lead to the discovery of
14 admissible evidence.

15 Responding Party objects to the extent this request seeks documents or information that
16 require discovery of information and materials from third parties or sources that are equally if not
17 more accessible to Plaintiffs.

18 Responding Party objects to the extent this request seeks documents or information that
19 will be the subject of expert discovery, as expert discovery has not commenced in this matter.

20 Subject to and without waiving the general and specific objections stated above,
21 Responding Party responds that it had no sales of CRTs during the time period of November 26,
22 2003 through November 25, 2007, and, thus, has no documents responsive to this request.

23 **REQUEST NO. 20 [SIC] REQUEST NO. 25:**

24 All Documents showing the dollar volume or quantity of sales or shipments of CRT or
25 CRT Products (by type or category, if available) by You or by other producers or sellers of CRT
26 or CRT Products by month, quarter, calendar year or fiscal year during the period January 1, 1991
27 through the present.

RESPONSE TO REQUEST NO. 20 [SIC] REQUEST NO. 25:

Responding Party reasserts and incorporates each of the General Objections and Objections to Definitions and Instructions set forth above.

Responding Party objects to this request on the grounds that it is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence including to the extent that it seeks the discovery of documents regarding Responding Party's sales outside of the United States and unrelated to United States commerce, as such sales are beyond the scope of this litigation and thereby render the Document Requests overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

Responding Party objects to this request on the grounds that it seeks production of documents protected by the attorney-client privilege, work product doctrine, joint defense or common interest privilege, or by any other applicable doctrine or privilege.

Responding Party objects to this request on the grounds it seeks information and/or documents that would disclose confidential information protected by any and all rights of privacy under the United States Constitution or any other applicable law, or that is otherwise prohibited from disclosure because to do so would cause Responding Party to violate legal and/or contractual obligations to any other persons or entities.

Responding Party objects to this request on the grounds that, to the extent it seeks documents regarding "CRT Products," as distinguished from "CRTs," this request is vague and ambiguous, overly broad and unduly burdensome, and purports to call for information that is not relevant to the claim or defense of any party, not relevant to the subject matter involved in this action, and not reasonably calculated to lead to the discovery of admissible evidence.

Responding Party objects on the grounds that the "Relevant Time Period" is overly broad and not relevant, rendering the request not reasonably calculated to lead to the discovery of admissible evidence as the Complaint does not allege a continuing conspiracy, the end of the class period is November 25, 2007, and claims prior to November 26, 2003, are barred by the statute of limitations.

1 Responding Party objects to the extent this request seeks documents that are no longer
2 active or readily accessible in electronic form which renders this request overly broad and unduly
3 burdensome.

4 Responding Party objects to the extent this request seeks documents or information that is
5 not within the possession, custody, or control of Responding Party.

6 Responding Party objects that the phrase “dollar volume” is vague, ambiguous, and
7 unintelligible, rendering the request overly broad and unduly burdensome, not relevant and not
8 reasonably calculated to lead to the discovery of admissible evidence.

9 Responding Party objects to the extent it seeks documents relating to the “quantity of sales
10 or shipments of CRT or CRT Products,” this request is duplicative of Document Request No. 5 of
11 Plaintiffs’ First Set of Requests for Production of Documents, and Request No. 5 of the
12 Document Requests.

13 Responding Party objects to the extent this request seeks documents or information that
14 require discovery of information and materials from third parties or sources that are equally if not
15 more accessible to Plaintiffs.

16 Responding Party objects to the extent this request seeks documents or information that
17 will be the subject of expert discovery, as expert discovery has not commenced in this matter.

18 Subject to and without waiving the general and specific objections stated above,
19 Responding Party responds that it had no sales of CRTs during the time period of November 26,
20 2003 through November 25, 2007, and, thus, has no documents responsive to this request.

21 **REQUEST NO. 21 [SIC] REQUEST NO. 26:**

22 All Documents that compare or contrast each type, class, or category of CRT or CRT
23 Products produced or sold by You with that of any other producer or seller of CRT or CRT
24 Products and all Documents that relate to any industry standards regarding types, classes, or
25 categories of CRT or CRT Products.

26 **RESPONSE TO REQUEST NO. 21 [SIC] REQUEST NO. 26:**

27 Responding Party reasserts and incorporates each of the General Objections and
28 Objections to Definitions and Instructions set forth above.

1 Responding Party objects to this request on the grounds that it is overly broad, unduly
2 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence
3 including to the extent that it seeks the discovery of documents regarding Responding Party's
4 sales outside of the United States and unrelated to United States commerce, as such sales are
5 beyond the scope of this litigation and thereby render the Document Requests overly broad,
6 unduly burdensome, and not reasonably calculated to lead to the discovery of admissible
7 evidence.

8 Responding Party objects to this request on the grounds that it seeks production of
9 documents protected by the attorney-client privilege, work product doctrine, joint defense or
10 common interest privilege, or by any other applicable doctrine or privilege.

11 Responding Party objects to this request on the grounds it seeks information and/or
12 documents that would disclose confidential information protected by any and all rights of privacy
13 under the United States Constitution or any other applicable law, or that is otherwise prohibited
14 from disclosure because to do so would cause Responding Party to violate legal and/or
15 contractual obligations to any other persons or entities.

16 Responding Party objects to this request on the grounds that, to the extent it seeks
17 documents regarding "CRT Products," as distinguished from "CRTs," this request is vague and
18 ambiguous, overly broad and unduly burdensome, and purports to call for information that is not
19 relevant to the claim or defense of any party, not relevant to the subject matter involved in this
20 action, and not reasonably calculated to lead to the discovery of admissible evidence.

21 Responding Party objects on the grounds that the "Relevant Time Period" is overly broad
22 and not relevant, rendering the request not reasonably calculated to lead to the discovery of
23 admissible evidence as the Complaint does not allege a continuing conspiracy, the end of the
24 class period is November 25, 2007, and claims prior to November 26, 2003, are barred by the
25 statute of limitations.

26 Responding Party objects to the extent this request seeks documents that are no longer
27 active or readily accessible in electronic form which renders this request overly broad and unduly
28 burdensome.

1 Responding Party objects to the extent this request seeks documents or information that is
2 not within the possession, custody, or control of Responding Party.

3 Responding Party objects that the phrases “compare or contrast” and “industry standards”
4 are vague, ambiguous, and unintelligible, rendering this request overly broad and unduly
5 burdensome, not relevant and not reasonably calculated to lead to the discovery of admissible
6 evidence.

7 Responding Party objects to the extent this request seeks documents or information that
8 require discovery of information and materials from third parties or sources that are equally if not
9 more accessible to Plaintiffs.

10 Responding Party objects to the extent this request is duplicative of Request No. 5 of the
11 Document Requests.

12 Responding Party objects to the extent this request seeks documents or information that
13 will be the subject of expert discovery, as expert discovery has not commenced in this matter.

14 Subject to and without waiving the general and specific objections stated above,
15 Responding Party responds that it had no sales of CRTs during the time period of November 26,
16 2003 through November 25, 2007, and, thus, has no documents responsive to this request.

17 **REQUEST NO. 22 [SIC] REQUEST NO. 27:**

18 Documents sufficient to show the regions or territories in which each type, class, or
19 category of CRT or CRT Products are sold in the United States.

20 **RESPONSE TO REQUEST NO. 22 [SIC] REQUEST NO. 27:**

21 Responding Party reasserts and incorporates each of the General Objections and
22 Objections to Definitions and Instructions set forth above.

23 Responding Party objects to this request on the grounds that it is overly broad, unduly
24 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence
25 including to the extent that it seeks the discovery of documents regarding Responding Party’s
26 sales outside of the United States and unrelated to United States commerce, as such sales are
27 beyond the scope of this litigation and thereby render the Document Requests overly broad,
28 unduly burdensome, and not reasonably calculated to lead to the discovery of admissible

1 evidence.

2 Responding Party objects to this request on the grounds that it seeks production of
3 documents protected by the attorney-client privilege, work product doctrine, joint defense or
4 common interest privilege, or by any other applicable doctrine or privilege.

5 Responding Party objects to this request on the grounds it seeks information and/or
6 documents that would disclose confidential information protected by any and all rights of privacy
7 under the United States Constitution or any other applicable law, or that is otherwise prohibited
8 from disclosure because to do so would cause Responding Party to violate legal and/or
9 contractual obligations to any other persons or entities.

10 Responding Party objects to this request on the grounds that, to the extent it seeks
11 documents regarding “CRT Products,” as distinguished from “CRTs,” this request is vague and
12 ambiguous, overly broad and unduly burdensome, and purports to call for information that is not
13 relevant to the claim or defense of any party, not relevant to the subject matter involved in this
14 action, and not reasonably calculated to lead to the discovery of admissible evidence.

15 Responding Party objects on the grounds that the “Relevant Time Period” is overly broad
16 and not relevant, rendering the request not reasonably calculated to lead to the discovery of
17 admissible evidence as the Complaint does not allege a continuing conspiracy, the end of the
18 class period is November 25, 2007, and claims prior to November 26, 2003, are barred by the
19 statute of limitations.

20 Responding Party objects to the extent this request seeks documents that are no longer
21 active or readily accessible in electronic form which renders this request overly broad and unduly
22 burdensome.

23 Responding Party objects to the extent this request seeks documents or information that is
24 not within the possession, custody, or control of Responding Party.

25 Responding Party objects to the extent this request seeks documents or information that
26 require discovery of information and materials from third parties or sources that are equally if not
27 more accessible to Plaintiffs.

28 Responding Party objects to the extent this request seeks documents or information that

1 will be the subject of expert discovery, as expert discovery has not commenced in this matter.

2 Subject to and without waiving the general and specific objections stated above,
3 Responding Party responds that it had no sales of CRTs during the time period of November 26,
4 2003 through November 25, 2007, and, thus, has no documents responsive to this request.

5 **REQUEST NO. 23 [SIC] REQUEST NO. 28:**

6 All Documents relating to conditions of supply or demand for CRT or CRT Products,
7 including, but not limited to, any market studies or industry reports during the period January 1,
8 1991 through the present.

9 **RESPONSE TO REQUEST NO. 23 [SIC] REQUEST NO. 28:**

10 Responding Party reasserts and incorporates each of the General Objections and
11 Objections to Definitions and Instructions set forth above.

12 Responding Party objects to this request on the grounds that it is overly broad, unduly
13 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence
14 including to the extent that it seeks the discovery of documents regarding Responding Party's
15 sales outside of the United States and unrelated to United States commerce, as such sales are
16 beyond the scope of this litigation and thereby render the Document Requests overly broad,
17 unduly burdensome, and not reasonably calculated to lead to the discovery of admissible
18 evidence.

19 Responding Party objects to this request on the grounds that it seeks production of
20 documents protected by the attorney-client privilege, work product doctrine, joint defense or
21 common interest privilege, or by any other applicable doctrine or privilege.

22 Responding Party objects to this request on the grounds it seeks information and/or
23 documents that would disclose confidential information protected by any and all rights of privacy
24 under the United States Constitution or any other applicable law, or that is otherwise prohibited
25 from disclosure because to do so would cause Responding Party to violate legal and/or
26 contractual obligations to any other persons or entities.

27 Responding Party objects to this request on the grounds that, to the extent it requests
28 documents regarding "CRT Products," as distinguished from "CRTs," this request is vague and

1 ambiguous, overly broad and unduly burdensome, and purports to call for information that is not
2 relevant to the claim or defense of any party, not relevant to the subject matter involved in this
3 action, and not reasonably calculated to lead to the discovery of admissible evidence.

4 Responding Party objects on the grounds that the “Relevant Time Period” is overly broad
5 and not relevant, rendering the request not reasonably calculated to lead to the discovery of
6 admissible evidence as the Complaint does not allege a continuing conspiracy, the end of the
7 class period is November 25, 2007, and claims prior to November 26, 2003, are barred by the
8 statute of limitations.

9 Responding Party objects to the extent this request seeks documents that are no longer
10 active or readily accessible in electronic form which renders this request overly broad and unduly
11 burdensome.

12 Responding Party objects to the extent this request seeks documents or information that is
13 not within the possession, custody, or control of Responding Party.

14 Responding Party objects that the phrases “relating to conditions of supply and demand”
15 and “market studies or industry reports” are vague, ambiguous, and unintelligible, rendering this
16 request overly broad and unduly burdensome, not relevant and not reasonably calculated to lead
17 to the discovery of admissible evidence.

18 Responding Party objects to the extent this request seeks documents or information that
19 require discovery of information and materials from third parties or sources that are equally if not
20 more accessible to Plaintiffs.

21 Responding Party objects to the extent this request seeks documents or information that
22 will be the subject of expert discovery, as expert discovery has not commenced in this matter.

23 Subject to and without waiving the general and specific objections stated above,
24 Responding Party responds that it had no sales of CRTs during the time period of November 26,
25 2003 through November 25, 2007, and, thus, has no documents responsive to this request.

26 **REQUEST NO. 24 [SIC] REQUEST NO. 29:**

27 All Documents relating to any contemplated, proposed, planned, pending or executed
28 purchases, sales, acquisitions, mergers, joint ventures, divestitures, transfers, spin-offs or any

1 other change in ownership of any assets, liabilities, subsidiaries, departments, units or other
2 subdivisions of Your or another company relating to production, distribution, marketing, pricing,
3 sale or resale of CRT or CRT Products during the Relevant Time Period.

4 **RESPONSE TO REQUEST NO. 24 [SIC] REQUEST NO. 29:**

5 Responding Party reasserts and incorporates each of the General Objections and
6 Objections to Definitions and Instructions set forth above.

7 Responding Party objects to this request on the grounds that it is overly broad, unduly
8 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence
9 including to the extent that it seeks the discovery of documents regarding Responding Party's
10 sales outside of the United States and unrelated to United States commerce, as such sales are
11 beyond the scope of this litigation and thereby render the Document Requests overly broad,
12 unduly burdensome, and not reasonably calculated to lead to the discovery of admissible
13 evidence.

14 Responding Party objects to this request on the grounds that it seeks production of
15 documents protected by the attorney-client privilege, work product doctrine, joint defense or
16 common interest privilege, or by any other applicable doctrine or privilege.

17 Responding Party objects to this request on the grounds it seeks information and/or
18 documents that would disclose confidential information protected by any and all rights of privacy
19 under the United States Constitution or any other applicable law, or that is otherwise prohibited
20 from disclosure because to do so would cause Responding Party to violate legal and/or
21 contractual obligations to any other persons or entities.

22 Responding Party objects to this request on the grounds that, to the extent it seeks
23 documents regarding "CRT Products," as distinguished from "CRTs," this request is vague and
24 ambiguous, overly broad and unduly burdensome, and purports to call for information that is not
25 relevant to the claim or defense of any party, not relevant to the subject matter involved in this
26 action, and not reasonably calculated to lead to the discovery of admissible evidence.

27 Responding Party objects on the grounds that the "Relevant Time Period" is overly broad
28 and not relevant, rendering the request not reasonably calculated to lead to the discovery of

1 admissible evidence as the Complaint does not allege a continuing conspiracy, the end of the
2 class period is November 25, 2007, and claims prior to November 26, 2003, are barred by the
3 statute of limitations.

4 Responding Party objects to the extent this request seeks documents that are no longer
5 active or readily accessible in electronic form which renders this request overly broad and unduly
6 burdensome.

7 Responding Party objects to the extent this request seeks documents or information that is
8 not within the possession, custody, or control of Responding Party.

9 Responding Party objects that the definition of the term “Your” renders the request vague,
10 ambiguous, and unintelligible, overly broad and unduly burdensome, not relevant, and not
11 reasonably calculated to lead to the discovery of admissible evidence.

12 Responding Party objects that the terms “contemplated,” “proposed,” “planned,”
13 “pending,” “executed” and “another company” are vague, ambiguous, and unintelligible,
14 rendering this request overly broad and unduly burdensome, not relevant and not reasonably
15 calculated to lead to the discovery of admissible evidence.

16 Responding Party objects to the extent this request seeks documents or information that
17 require discovery of information and materials from third parties or sources that are equally if not
18 more accessible to Plaintiffs.

19 Responding Party objects to the extent this request seeks documents and information that
20 would require disclosure of Responding Party’s or a third-party’s respective trade secrets or other
21 confidential information protected by the Uniform Trade Secrets Act, *et. seq.*, any and all rights
22 of privacy under the United States Constitution, or Article One of the California State
23 Constitution or other state constitutions, or any other applicable law, or which is otherwise
24 prohibited from disclosure because to do so would cause Responding Party to violate legal or
25 contractual obligations to any other persons or entities.

26 Responding Party objects that this request is overly broad and unduly burdensome, and
27 the burden it places on Responding Party far outweighs any likely benefit to Plaintiffs under Rule
28 26(b)(2)(C)(iii) of the Federal Rules of Civil Procedure.

1 Subject to and without waiving the general and specific objections stated above,
2 Responding Party responds that it had no sales of CRTs during the time period of November 26,
3 2003 through November 25, 2007, and, thus, has no documents responsive to this request.

4 **REQUEST NO. 25 [SIC] REQUEST NO. 30:**

5 All Documents relating to any communications between You and any parent, subsidiary,
6 affiliated company, joint venturer, or partner regarding the production, pricing, marketing, sale or
7 distribution of CRT or CRT Products.

8 **RESPONSE TO REQUEST NO. 25 [SIC] REQUEST NO. 30:**

9 Responding Party reasserts and incorporates each of the General Objections and
10 Objections to Definitions and Instructions set forth above.

11 Responding Party objects to this request on the grounds that it is overly broad, unduly
12 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence
13 including to the extent that it seeks the discovery of documents regarding Responding Party's
14 sales outside of the United States and unrelated to United States commerce, as such sales are
15 beyond the scope of this litigation and thereby render the Document Requests overly broad,
16 unduly burdensome, and not reasonably calculated to lead to the discovery of admissible
17 evidence.

18 Responding Party objects to this request on the grounds that it seeks production of
19 documents protected by the attorney-client privilege, work product doctrine, joint defense or
20 common interest privilege, or by any other applicable doctrine or privilege.

21 Responding Party objects to this request on the grounds it seeks information and/or
22 documents that would disclose confidential information protected by any and all rights of privacy
23 under the United States Constitution or any other applicable law, or that is otherwise prohibited
24 from disclosure because to do so would cause Responding Party to violate legal and/or
25 contractual obligations to any other persons or entities.

26 Responding Party objects to this request on the grounds that, to the extent it seeks
27 documents regarding "CRT Products," as distinguished from "CRTs," this request is vague and
28 ambiguous, overly broad and unduly burdensome, and purports to call for information that is not

1 relevant to the claim or defense of any party, not relevant to the subject matter involved in this
2 action, and not reasonably calculated to lead to the discovery of admissible evidence.

3 Responding Party objects on the grounds that the “Relevant Time Period” is overly broad
4 and not relevant, rendering the request not reasonably calculated to lead to the discovery of
5 admissible evidence as the Complaint does not allege a continuing conspiracy, the end of the
6 class period is November 25, 2007, and claims prior to November 26, 2003, are barred by the
7 statute of limitations.

8 Responding Party objects to the extent this request seeks documents that are no longer
9 active or readily accessible in electronic form which renders this request overly broad and unduly
10 burdensome.

11 Responding Party objects to the extent this request seeks documents or information that is
12 not within the possession, custody, or control of Responding Party.

13 Responding Party objects that the phrase “affiliated company” is vague, ambiguous, and
14 unintelligible, rendering this request overly broad and unduly burdensome, not relevant and not
15 reasonably calculated to lead to the discovery of admissible evidence.

16 Responding Party objects to the extent this request seeks documents or information that
17 require discovery of information and materials from third parties or sources that are equally if not
18 more accessible to Plaintiffs.

19 Responding Party objects that this request is overly broad and unduly burdensome, and
20 the burden it places on Responding Party far outweighs any likely benefit to Plaintiffs under Rule
21 26(b)(2)(C)(iii) of the Federal Rules of Civil Procedure.

22 Subject to and without waiving the general and specific objections stated above,
23 Responding Party responds that it had no sales of CRTs during the time period of November 26,
24 2003 through November 25, 2007, and, thus, has no documents responsive to this request.

25 **REQUEST NO. 26 [SIC] REQUEST NO. 31:**

26 All Documents relating to communications regarding CRT or CRT Products between or
27 among manufacturers of CRT or CRT Products, including Defendants.

RESPONSE TO REQUEST NO. 26 [SIC] REQUEST NO. 31:

Responding Party reasserts and incorporates each of the General Objections and Objections to Definitions and Instructions set forth above.

Responding Party objects to this request on the grounds that it is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence including to the extent that it seeks the discovery of documents regarding Responding Party's sales outside of the United States and unrelated to United States commerce, as such sales are beyond the scope of this litigation and thereby render the Document Requests overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

Responding Party objects to this request on the grounds that it seeks production of documents protected by the attorney-client privilege, work product doctrine, joint defense or common interest privilege, or by any other applicable doctrine or privilege.

Responding Party objects to this request on the grounds it seeks information and/or documents that would disclose confidential information protected by any and all rights of privacy under the United States Constitution or any other applicable law, or that is otherwise prohibited from disclosure because to do so would cause Responding Party to violate legal and/or contractual obligations to any other persons or entities.

Responding Party objects to this request on the grounds that, to the extent it seeks documents regarding "CRT Products," as distinguished from "CRTs," this request is vague and ambiguous, overly broad and unduly burdensome, and purports to call for information that is not relevant to the claim or defense of any party, not relevant to the subject matter involved in this action, and not reasonably calculated to lead to the discovery of admissible evidence.

Responding Party objects on the grounds that the "Relevant Time Period" is overly broad and not relevant, rendering the request not reasonably calculated to lead to the discovery of admissible evidence as the Complaint does not allege a continuing conspiracy, the end of the class period is November 25, 2007, and claims prior to November 26, 2003, are barred by the statute of limitations.

1 Responding Party objects to the extent this request seeks documents that are no longer
2 active or readily accessible in electronic form which renders this request overly broad and unduly
3 burdensome.

4 Responding Party objects to the extent this request seeks documents or information that is
5 not within the possession, custody, or control of Responding Party.

6 Responding Party objects to the extent this request seeks documents or information that
7 require discovery of information and materials from third parties or sources that are equally if not
8 more accessible to Plaintiffs.

9 Responding Party objects that the phrase “relating to” is vague, ambiguous and
10 unintelligible, and renders the request unlimited in scope, overly broad and unduly burdensome,
11 not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

12 Subject to and without waiving the general and specific objections stated above,
13 Responding Party responds that it had no sales of CRTs during the time period of November 26,
14 2003 through November 25, 2007, and, thus, has no documents responsive to this request.

15 **REQUEST NO. 27 [SIC] REQUEST NO. 32:**

16 All Documents relating to any Meeting attended by You or any other Defendant or any
17 manufacturer of CRT or CRT Products during which there was any communication concerning
18 the production, marketing, pricing, distribution, inventory levels or sale of CRT or CRT Products,
19 including, but not limited to the notes of any such Meetings.

20 **RESPONSE TO REQUEST NO. 27 [SIC] REQUEST NO. 32:**

21 Responding Party reasserts and incorporates each of the General Objections and
22 Objections to Definitions and Instructions set forth above.

23 Responding Party objects to this request on the grounds that it is overly broad, unduly
24 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence
25 including to the extent that it seeks the discovery of documents regarding Responding Party’s
26 sales outside of the United States and unrelated to United States commerce, as such sales are
27 beyond the scope of this litigation and thereby render the Document Requests overly broad,
28 unduly burdensome, and not reasonably calculated to lead to the discovery of admissible

1 evidence.

2 Responding Party objects to this request on the grounds that it seeks production of
3 documents protected by the attorney-client privilege, work product doctrine, joint defense or
4 common interest privilege, or by any other applicable doctrine or privilege.

5 Responding Party objects to this request on the grounds it seeks information and/or
6 documents that would disclose confidential information protected by any and all rights of privacy
7 under the United States Constitution or any other applicable law, or that is otherwise prohibited
8 from disclosure because to do so would cause Responding Party to violate legal and/or
9 contractual obligations to any other persons or entities.

10 Responding Party objects to this request on the grounds that, to the extent it seeks
11 documents regarding “CRT Products,” as distinguished from “CRTs,” this request is vague and
12 ambiguous, overly broad and unduly burdensome, and purports to call for information that is not
13 relevant to the claim or defense of any party, not relevant to the subject matter involved in this
14 action, and not reasonably calculated to lead to the discovery of admissible evidence.

15 Responding Party objects on the grounds that the “Relevant Time Period” is overly broad
16 and not relevant, rendering the request not reasonably calculated to lead to the discovery of
17 admissible evidence as the Complaint does not allege a continuing conspiracy, the end of the
18 class period is November 25, 2007, and claims prior to November 26, 2003, are barred by the
19 statute of limitations.

20 Responding Party objects to the extent this request seeks documents that are no longer
21 active or readily accessible in electronic form which renders this request overly broad and unduly
22 burdensome.

23 Responding Party objects to the extent this request seeks documents or information that is
24 not within the possession, custody, or control of Responding Party.

25 Responding Party objects to the extent this request seeks documents or information that
26 require discovery of information and materials from third parties or sources that are equally if not
27 more accessible to Plaintiffs.

28 Subject to and without waiving the general and specific objections stated above,

1 Responding Party responds that it had no sales of CRTs during the time period of November 26,
2 2003 through November 25, 2007, and, thus, has no documents responsive to this request.

3 **REQUEST NO. 28 [SIC] REQUEST NO. 33:**

4 For each of Your Employees who has or had any non-clerical responsibility for
5 recommending, reviewing, setting or approving prices, price increase announcements, bids or
6 quotes for the sale of CRT or CRT Products, or any other involvement in the marketing or sale of
7 CRT or CRT Products:

- 8 a. all copies of electronic and manual diaries, calendars, appointment books, "to do"
9 lists, day timers or appointment notes;
- 10 b. all copies of trip and travel logs, records or other supporting Documents;
- 11 c. all copies of expense reports or other supporting Documents;
- 12 d. all copies of telephone number logs, directories, notebooks, Rolodex cards or
13 related memoranda;
- 14 e. all bills, statements, records and supporting Documents concerning long distance
15 or cellular telephone calls;
- 16 f. all Documents relating to membership in any trade association or industry group;
17 and
- 18 g. the complete personnel file for that Employee.

19 **RESPONSE TO REQUEST NO. 28 [SIC] REQUEST NO. 33:**

20 Responding Party reasserts and incorporates each of the General Objections and
21 Objections to Definitions and Instructions set forth above.

22 Responding Party objects to this request on the grounds that it is overly broad, unduly
23 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence
24 including to the extent that it seeks the discovery of documents regarding Responding Party's
25 sales outside of the United States and unrelated to United States commerce, as such sales are
26 beyond the scope of this litigation and thereby render the Document Requests overly broad,
27 unduly burdensome, and not reasonably calculated to lead to the discovery of admissible
28 evidence.

1 Responding Party objects to this request on the grounds that it seeks production of
2 documents protected by the attorney-client privilege, work product doctrine, joint defense or
3 common interest privilege, or by any other applicable doctrine or privilege.

4 Responding Party objects to this request on the grounds it seeks information and/or
5 documents that would disclose confidential information protected by any and all rights of privacy
6 under the United States Constitution or any other applicable law, or that is otherwise prohibited
7 from disclosure because to do so would cause Responding Party to violate legal and/or
8 contractual obligations to any other persons or entities.

9 Responding Party objects to this request on the grounds that, to the extent it seeks
10 documents regarding “CRT Products,” as distinguished from “CRTs,” this request is vague and
11 ambiguous, overly broad and unduly burdensome, and purports to call for information that is not
12 relevant to the claim or defense of any party, not relevant to the subject matter involved in this
13 action, and not reasonably calculated to lead to the discovery of admissible evidence.

14 Responding Party objects on the grounds that the “Relevant Time Period” is overly broad
15 and not relevant, rendering the request not reasonably calculated to lead to the discovery of
16 admissible evidence as the Complaint does not allege a continuing conspiracy, the end of the
17 class period is November 25, 2007, and claims prior to November 26, 2003, are barred by the
18 statute of limitations.

19 Responding Party objects to the extent this request seeks documents that are no longer
20 active or readily accessible in electronic form which renders this request overly broad and unduly
21 burdensome.

22 Responding Party objects that the phrase “non-clerical responsibility” is vague,
23 ambiguous, and unintelligible, rendering the request overly broad and unduly burdensome, not
24 relevant and not reasonably calculated to lead to the discovery of admissible evidence.

25 Responding Party objects to the extent this request seeks documents or information that
26 require discovery of information and materials from third parties or sources that are equally if not
27 more accessible to Plaintiffs.

28 Subject to and without waiving the general and specific objections stated above,

1 Responding Party responds that it had no sales of CRTs during the time period of November 26,
2 2003 through November 25, 2007, and, thus, has no documents responsive to this request.

3 **REQUEST NO. 29 [SIC] REQUEST NO. 34:**

4 Documents sufficient to show the name and address of each trade association (including
5 committees and subcommittees) relating to CRT or CRT Products of which You or any of Your
6 Employees are or have been a member, as well as Documents sufficient to show dates of
7 membership and dates of participation in committees or subcommittees.

8 **RESPONSE TO REQUEST NO. 29 [SIC] REQUEST NO. 34:**

9 Responding Party reasserts and incorporates each of the General Objections and
10 Objections to Definitions and Instructions set forth above.

11 Responding Party objects to this request on the grounds that it is overly broad, unduly
12 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence
13 including to the extent that it seeks the discovery of documents regarding Responding Party's
14 sales outside of the United States and unrelated to United States commerce, as such sales are
15 beyond the scope of this litigation and thereby render the Document Requests overly broad,
16 unduly burdensome, and not reasonably calculated to lead to the discovery of admissible
17 evidence.

18 Responding Party objects to this request on the grounds that it seeks production of
19 documents protected by the attorney-client privilege, work product doctrine, joint defense or
20 common interest privilege, or by any other applicable doctrine or privilege.

21 Responding Party objects to this request on the grounds it seeks information and/or
22 documents that would disclose confidential information protected by any and all rights of privacy
23 under the United States Constitution or any other applicable law, or that is otherwise prohibited
24 from disclosure because to do so would cause Responding Party to violate legal and/or
25 contractual obligations to any other persons or entities.

26 Responding Party objects to this request on the grounds that, to the extent it seeks
27 documents regarding "CRT Products," as distinguished from "CRTs," this request is vague and
28 ambiguous, overly broad and unduly burdensome, and purports to call for information that is not

1 relevant to the claim or defense of any party, not relevant to the subject matter involved in this
2 action, and not reasonably calculated to lead to the discovery of admissible evidence.

3 Responding Party objects on the grounds that the “Relevant Time Period” is overly broad
4 and not relevant, rendering the request not reasonably calculated to lead to the discovery of
5 admissible evidence as the Complaint does not allege a continuing conspiracy, the end of the
6 class period is November 25, 2007, and claims prior to November 26, 2003, are barred by the
7 statute of limitations.

8 Responding Party objects to the extent this request seeks documents that are no longer
9 active or readily accessible in electronic form which renders this request overly broad and unduly
10 burdensome.

11 Responding Party objects to the extent this request seeks documents or information that is
12 not within the possession, custody, or control of Responding Party.

13 Responding Party objects to the extent this request seeks documents or information that
14 require discovery of information and materials from third parties or sources that are equally if not
15 more accessible to Plaintiffs.

16 Subject to and without waiving the general and specific objections stated above,
17 Responding Party responds that it had no sales of CRTs during the time period of November 26,
18 2003 through November 25, 2007, and, thus, has no documents responsive to this request.

19 **REQUEST NO. 30 [SIC] REQUEST NO. 35:**

20 All Documents relating to Meetings of each trade association and each of its committees
21 or subcommittees relating to CRT or CRT Products, including all Documents relating to any such
22 Meeting attended by You and any other CRT or CRT Products manufacturer and Documents
23 sufficient to identify individuals from Your company who attended, the dates of attendance, and
24 the subject matters discussed.

25 **RESPONSE TO REQUEST NO. 30 [SIC] REQUEST NO. 35:**

26 Responding Party reasserts and incorporates each of the General Objections and
27 Objections to Definitions and Instructions set forth above.

28 Responding Party objects to this request on the grounds that it is overly broad, unduly

1 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence
2 including to the extent that it seeks the discovery of documents regarding Responding Party's
3 sales outside of the United States and unrelated to United States commerce, as such sales are
4 beyond the scope of this litigation and thereby render the Document Requests overly broad,
5 unduly burdensome, and not reasonably calculated to lead to the discovery of admissible
6 evidence.

7 Responding Party objects to this request on the grounds that it seeks production of
8 documents protected by the attorney-client privilege, work product doctrine, joint defense or
9 common interest privilege, or by any other applicable doctrine or privilege.

10 Responding Party objects to this request on the grounds it seeks information and/or
11 documents that would disclose confidential information protected by any and all rights of privacy
12 under the United States Constitution or any other applicable law, or that is otherwise prohibited
13 from disclosure because to do so would cause Responding Party to violate legal and/or
14 contractual obligations to any other persons or entities.

15 Responding Party objects to this request on the grounds that, to the extent it seeks
16 documents regarding "CRT Products," as distinguished from "CRTs," this request is vague and
17 ambiguous, overly broad and unduly burdensome, and purports to call for information that is not
18 relevant to the claim or defense of any party, not relevant to the subject matter involved in this
19 action, and not reasonably calculated to lead to the discovery of admissible evidence.

20 Responding Party objects on the grounds that the "Relevant Time Period" is overly broad
21 and not relevant, rendering the request not reasonably calculated to lead to the discovery of
22 admissible evidence as the Complaint does not allege a continuing conspiracy, the end of the
23 class period is November 25, 2007, and claims prior to November 26, 2003, are barred by the
24 statute of limitations.

25 Responding Party objects to the extent this request seeks documents that are no longer
26 active or readily accessible in electronic form which renders this request overly broad and unduly
27 burdensome.

28 Responding Party objects to the extent this request seeks documents or information that is

1 not within the possession, custody, or control of Responding Party.

2 Responding Party objects to the extent this request seeks documents or information that
3 require discovery of information and materials from third parties or sources that are equally if not
4 more accessible to Plaintiffs.

5 Subject to and without waiving the general and specific objections stated above,
6 Responding Party responds that it had no sales of CRTs during the time period of November 26,
7 2003 through November 25, 2007, and, thus, has no documents responsive to this request.

8 **REQUEST NO. 31 [SIC] REQUEST NO. 36:**

9 All studies, analyses, communications, presentations or other Documents that You have
10 submitted to or received from any trade association regarding CRT or CRT Products.

11 **RESPONSE TO REQUEST NO. 31 [SIC] REQUEST NO. 36:**

12 Responding Party reasserts and incorporates each of the General Objections and
13 Objections to Definitions and Instructions set forth above.

14 Responding Party objects to this request on the grounds that it is overly broad, unduly
15 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence
16 including to the extent that it seeks the discovery of documents regarding Responding Party's
17 sales outside of the United States and unrelated to United States commerce, as such sales are
18 beyond the scope of this litigation and thereby render the Document Requests overly broad,
19 unduly burdensome, and not reasonably calculated to lead to the discovery of admissible
20 evidence.

21 Responding Party objects to this request on the grounds that it seeks production of
22 documents protected by the attorney-client privilege, work product doctrine, joint defense or
23 common interest privilege, or by any other applicable doctrine or privilege.

24 Responding Party objects to this request on the grounds it seeks information and/or
25 documents that would disclose confidential information protected by any and all rights of privacy
26 under the United States Constitution or any other applicable law, or that is otherwise prohibited
27 from disclosure because to do so would cause Responding Party to violate legal and/or
28 contractual obligations to any other persons or entities.

1 Responding Party objects to this request on the grounds that, to the extent it seeks
2 documents regarding “CRT Products,” as distinguished from “CRTs,” this request is vague and
3 ambiguous, overly broad and unduly burdensome, and purports to call for information that is not
4 relevant to the claim or defense of any party, not relevant to the subject matter involved in this
5 action, and not reasonably calculated to lead to the discovery of admissible evidence.

6 Responding Party objects on the grounds that the “Relevant Time Period” is overly broad
7 and not relevant, rendering the request not reasonably calculated to lead to the discovery of
8 admissible evidence as the Complaint does not allege a continuing conspiracy, the end of the
9 class period is November 25, 2007, and claims prior to November 26, 2003, are barred by the
10 statute of limitations.

11 Responding Party objects to the extent this request seeks documents that are no longer
12 active or readily accessible in electronic form which renders this request overly broad and unduly
13 burdensome.

14 Responding Party objects to the extent this request seeks documents or information that is
15 not within the possession, custody, or control of Responding Party.

16 Responding Party objects that the terms “studies” and “analyses” are vague, ambiguous,
17 and unintelligible, rendering this request overly broad and unduly burdensome, not relevant and
18 not reasonably calculated to lead to the discovery of admissible evidence.

19 Responding Party objects to the extent this request seeks documents or information that
20 require discovery of information and materials from third parties or sources that are equally if not
21 more accessible to Plaintiffs.

22 Subject to and without waiving the general and specific objections stated above,
23 Responding Party responds that it had no sales of CRTs during the time period of November 26,
24 2003 through November 25, 2007, and, thus, has no documents responsive to this request.

25 **REQUEST NO. 32 [SIC] REQUEST NO. 37:**

26 All statements, announcements, disclosures or press releases issued by You or any of
27 Your competitors relating to CRT or CRT Products.

RESPONSE TO REQUEST NO. 32 [SIC] REQUEST NO. 37:

Responding Party reasserts and incorporates each of the General Objections and Objections to Definitions and Instructions set forth above.

Responding Party objects to this request on the grounds that it is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence including to the extent that it seeks the discovery of documents regarding Responding Party's sales outside of the United States and unrelated to United States commerce, as such sales are beyond the scope of this litigation and thereby render the Document Requests overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

Responding Party objects to this request on the grounds that it seeks production of documents protected by the attorney-client privilege, work product doctrine, joint defense or common interest privilege, or by any other applicable doctrine or privilege.

Responding Party objects to this request on the grounds it seeks information and/or documents that would disclose confidential information protected by any and all rights of privacy under the United States Constitution or any other applicable law, or that is otherwise prohibited from disclosure because to do so would cause Responding Party to violate legal and/or contractual obligations to any other persons or entities.

Responding Party objects to this request on the grounds that, to the extent it seeks documents regarding "CRT Products," as distinguished from "CRTs," this request is vague and ambiguous, overly broad and unduly burdensome, and purports to call for information that is not relevant to the claim or defense of any party, not relevant to the subject matter involved in this action, and not reasonably calculated to lead to the discovery of admissible evidence.

Responding Party objects on the grounds that the "Relevant Time Period" is overly broad and not relevant, rendering the request not reasonably calculated to lead to the discovery of admissible evidence as the Complaint does not allege a continuing conspiracy, the end of the class period is November 25, 2007, and claims prior to November 26, 2003, are barred by the statute of limitations.

1 Responding Party objects that the definition of the terms “You” and “Your” are vague,
2 ambiguous, and unintelligible, rendering the request overly broad and unduly burdensome, not
3 relevant, and not reasonably calculated to lead to the discovery of admissible evidence.

4 Responding Party objects to the extent this request seeks documents that are no longer
5 active or readily accessible in electronic form which renders this request overly broad and unduly
6 burdensome.

7 Responding Party objects to the extent this request seeks documents or information that is
8 not within the possession, custody, or control of Responding Party. Responding Party objects to
9 the extent this request seeks documents or information that require discovery of information and
10 materials from third parties or sources that are equally if not more accessible to Plaintiffs.

11 Subject to and without waiving the general and specific objections stated above,
12 Responding Party responds that it had no sales of CRTs during the time period of November 26,
13 2003 through November 25, 2007, and, thus, has no documents responsive to this request.

14 **REQUEST NO. 33 [SIC] REQUEST NO. 38:**

15 All Documents relating to Your policies or practices directed toward compliance with the
16 United States antitrust laws, including any statements signed by Your Employees with pricing,
17 sales or marketing responsibility for CRT or CRT Products, acknowledging their receipt of and
18 compliance with Your antitrust compliance policy.

19 **RESPONSE TO REQUEST NO. 33 [SIC] REQUEST NO. 38:**

20 Responding Party reasserts and incorporates each of the General Objections and
21 Objections to Definitions and Instructions set forth above.

22 Responding Party objects to this request on the grounds that it is overly broad, unduly
23 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence
24 including to the extent that it seeks the discovery of documents regarding Responding Party’s
25 sales outside of the United States and unrelated to United States commerce, as such sales are
26 beyond the scope of this litigation and thereby render the Document Requests overly broad,
27 unduly burdensome, and not reasonably calculated to lead to the discovery of admissible
28 evidence.

1 Responding Party objects to this request on the grounds that it seeks production of
2 documents protected by the attorney-client privilege, work product doctrine, joint defense or
3 common interest privilege, or by any other applicable doctrine or privilege.

4 Responding Party objects to this request on the grounds it seeks information and/or
5 documents that would disclose confidential information protected by any and all rights of privacy
6 under the United States Constitution or any other applicable law, or that is otherwise prohibited
7 from disclosure because to do so would cause Responding Party to violate legal and/or
8 contractual obligations to any other persons or entities.

9 Responding Party objects to this request on the grounds that, to the extent it seeks
10 documents regarding “CRT Products,” as distinguished from “CRTs,” this request is vague and
11 ambiguous, overly broad and unduly burdensome, and purports to call for information that is not
12 relevant to the claim or defense of any party, not relevant to the subject matter involved in this
13 action, and not reasonably calculated to lead to the discovery of admissible evidence.

14 Responding Party objects on the grounds that the “Relevant Time Period” is overly broad
15 and not relevant, rendering the request not reasonably calculated to lead to the discovery of
16 admissible evidence as the Complaint does not allege a continuing conspiracy, the end of the
17 class period is November 25, 2007, and claims prior to November 26, 2003, are barred by the
18 statute of limitations.

19 Responding Party objects to the extent this request seeks documents that are no longer
20 active or readily accessible in electronic form which renders this request overly broad and unduly
21 burdensome.

22 Responding Party objects to the extent this request seeks documents or information that is
23 not within the possession, custody, or control of Responding Party.

24 Responding Party objects that the phrase “directed toward compliance” is vague,
25 ambiguous, and unintelligible, rendering this request overly broad and unduly burdensome, not
26 relevant and not reasonably calculated to lead to the discovery of admissible evidence.

27 Subject to and without waiving the general and specific objections stated above,
28 Responding Party responds that it had no sales of CRTs during the time period of November 26,

2003 through November 25, 2007, and, thus, has no documents responsive to this request.

REQUEST NO. 34 [SIC] REQUEST NO. 39:

All Documents relating to, prepared for, submitted to, or received from any foreign governmental or legislative investigative body, including the Canadian Competition Bureau, the European Commission, any agency or representative body of any foreign country, state or other political subdivision, or any law enforcement agency, authority or commission in any foreign country, relating to the production, sale, marketing, pricing or distribution of CRT or CRT Products. This request includes all Documents relating to proffers, transcripts, notes, summaries, testimony, witness statements, or responses to requests for information that You produced to any foreign governmental agency or foreign grand jury, including any Documents produced as part of any plea bargain negotiations or in connection with any application for or grant of amnesty.

RESPONSE TO REQUEST NO. 34 [SIC] REQUEST NO. 39:

Responding Party reasserts and incorporates each of the General Objections and Objections to Definitions and Instructions set forth above.

Responding Party objects to this request on the grounds that it is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence including to the extent that it seeks the discovery of documents regarding Responding Party's sales outside of the United States and unrelated to United States commerce, as such sales are beyond the scope of this litigation and thereby render the Document Requests overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

Responding Party objects to this request on the grounds that it seeks information in excess of the limited scope of discovery permitted by the Stay Order, as the Stay Order states that "no discovery shall be conducted in this case (including, without limitation, document requests, interrogatories, requests to admit, or depositions) that reflects, refers to, or relates to grand jury proceedings concerning CRTs or CRT products, including any party's or witness's communications with the United States, or with any grand jury investigating CRTs or CRT products, except by the order of the Court upon good cause shown and consistent with governing

1 law.” Stipulation and Order to Extend Limited Discovery Stay, ¶ 3 (January 5, 2010).

2 Responding Party objects to this request on the grounds that it seeks production of
3 documents protected by the attorney-client privilege, work product doctrine, joint defense or
4 common interest privilege, or by any other applicable doctrine or privilege.

5 Responding Party objects to this request on the grounds it seeks information and/or
6 documents that would disclose confidential information protected by any and all rights of privacy
7 under the United States Constitution or any other applicable law, or that is otherwise prohibited
8 from disclosure because to do so would cause Responding Party to violate legal and/or
9 contractual obligations to any other persons or entities.

10 Responding Party objects to this request on the grounds that, to the extent it seeks
11 documents regarding “CRT Products,” as distinguished from “CRTs,” this request is vague and
12 ambiguous, overly broad and unduly burdensome, and purports to call for information that is not
13 relevant to the claim or defense of any party, not relevant to the subject matter involved in this
14 action, and not reasonably calculated to lead to the discovery of admissible evidence.

15 Responding Party objects on the grounds that the “Relevant Time Period” is overly broad
16 and not relevant, rendering the request not reasonably calculated to lead to the discovery of
17 admissible evidence as the Complaint does not allege a continuing conspiracy, the end of the
18 class period is November 25, 2007, and claims prior to November 26, 2003, are barred by the
19 statute of limitations.

20 Responding Party objects to the extent this request seeks documents that are no longer
21 active or readily accessible in electronic form which renders this request overly broad and unduly
22 burdensome.

23 Responding Party objects to this request on the grounds that discovery of documents and
24 information related to foreign antitrust laws are not relevant to the allegations in the Complaint,
25 thus rendering this request overly broad, unduly burdensome, and not reasonably calculated to
26 lead to the discovery of admissible evidence.

27 Subject to and without waiving the general and specific objections stated above,
28 Responding Party declines to produce documents that may be responsive to this request.

REQUEST NO. 35 [SIC] REQUEST NO. 40:

All Documents relating to proffers, transcripts, notes, summaries, testimony, witness statements, or responses to requests for information that You produced or were seized by any foreign governmental agency in Italy, Canada, the European Union, India, Hong Kong, Hungary, Thailand, Malaysia, Korea, Japan, Singapore, China or Taiwan.

RESPONSE TO REQUEST NO. 35 [SIC] REQUEST NO. 40:

Responding Party reasserts and incorporates each of the General Objections and Objections to Definitions and Instructions set forth above.

Responding Party objects to this request on the grounds that it is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence including to the extent that it seeks the discovery of documents regarding Responding Party's sales outside of the United States and unrelated to United States commerce, as such sales are beyond the scope of this litigation and thereby render the Document Requests overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

Responding Party objects to this request on the grounds that it seeks information in excess of the limited scope of discovery permitted by the Stay Order, as the Stay Order states that "no discovery shall be conducted in this case (including, without limitation, document requests, interrogatories, requests to admit, or depositions) that reflects, refers to, or relates to grand jury proceedings concerning CRTs or CRT products, including any party's or witness's communications with the United States, or with any grand jury investigating CRTs or CRT products, except by the order of the Court upon good cause shown and consistent with governing law." Stipulation and Order to Extend Limited Discovery Stay, ¶ 3 (January 5, 2010).

Responding Party objects to this request on the grounds that it seeks production of documents protected by the attorney-client privilege, work product doctrine, joint defense or common interest privilege, or by any other applicable doctrine or privilege.

Responding Party objects to this request on the grounds it seeks information and/or documents that would disclose confidential information protected by any and all rights of privacy

1 under the United States Constitution or any other applicable law, or that is otherwise prohibited
2 from disclosure because to do so would cause Responding Party to violate legal and/or
3 contractual obligations to any other persons or entities.

4 Responding Party objects to this request on the grounds that, to the extent it seeks
5 documents regarding “CRT Products,” as distinguished from “CRTs,” this request is vague and
6 ambiguous, overly broad and unduly burdensome, and purports to call for information that is not
7 relevant to the claim or defense of any party, not relevant to the subject matter involved in this
8 action, and not reasonably calculated to lead to the discovery of admissible evidence.

9 Responding Party objects on the grounds that the “Relevant Time Period” is overly broad
10 and not relevant, rendering the request not reasonably calculated to lead to the discovery of
11 admissible evidence as the Complaint does not allege a continuing conspiracy, the end of the
12 class period is November 25, 2007, and claims prior to November 26, 2003, are barred by the
13 statute of limitations.

14 Responding Party objects to the extent this request seeks documents that are no longer
15 active or readily accessible in electronic form which renders this request overly broad and unduly
16 burdensome.

17 Responding Party objects to this request on the grounds that discovery of documents and
18 information related to foreign antitrust laws are not relevant to the allegations in the Complaint,
19 thus rendering this request overly broad, unduly burdensome, and not reasonably calculated to
20 lead to the discovery of admissible evidence.

21 Subject to and without waiving the general and specific objections stated above,
22 Responding Party declines to produce documents that may be responsive to this request.

23 **REQUEST NO. 36 [SIC] REQUEST NO. 41:**

24 Copies of all subpoenas or requests for production of Documents issued by any foreign
25 governmental or legislative investigative body referring or relating to CRT or CRT Products
26 during the relevant period.

27 **RESPONSE TO REQUEST NO. 36 [SIC] REQUEST NO. 41:**

28 Responding Party reasserts and incorporates each of the General Objections and

1 Objections to Definitions and Instructions set forth above.

2 Responding Party objects to this request on the grounds that it is overly broad, unduly
3 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence
4 including to the extent that it seeks the discovery of documents regarding Responding Party's
5 sales outside of the United States and unrelated to United States commerce, as such sales are
6 beyond the scope of this litigation and thereby render the Document Requests overly broad,
7 unduly burdensome, and not reasonably calculated to lead to the discovery of admissible
8 evidence.

9 Responding Party objects to this request on the grounds that it seeks information in excess
10 of the limited scope of discovery permitted by the Stay Order, as the Stay Order states that "no
11 discovery shall be conducted in this case (including, without limitation, document requests,
12 interrogatories, requests to admit, or depositions) that reflects, refers to, or relates to grand jury
13 proceedings concerning CRTs or CRT products, including any party's or witness's
14 communications with the United States, or with any grand jury investigating CRTs or CRT
15 products, except by the order of the Court upon good cause shown and consistent with governing
16 law." Stipulation and Order to Extend Limited Discovery Stay, ¶ 3 (January 5, 2010).

17 Responding Party objects to this request on the grounds that it seeks production of
18 documents protected by the attorney-client privilege, work product doctrine, joint defense or
19 common interest privilege, or by any other applicable doctrine or privilege.

20 Responding Party objects to this request on the grounds it seeks information and/or
21 documents that would disclose confidential information protected by any and all rights of privacy
22 under the United States Constitution or any other applicable law, or that is otherwise prohibited
23 from disclosure because to do so would cause Responding Party to violate legal and/or
24 contractual obligations to any other persons or entities.

25 Responding Party objects to this request on the grounds that, to the extent it seeks
26 documents regarding "CRT Products," as distinguished from "CRTs," this request is vague and
27 ambiguous, overly broad and unduly burdensome, and purports to call for information that is not
28 relevant to the claim or defense of any party, not relevant to the subject matter involved in this

1 action, and not reasonably calculated to lead to the discovery of admissible evidence.

2 Responding Party objects on the grounds that the “Relevant Time Period” is overly broad
3 and not relevant, rendering the request not reasonably calculated to lead to the discovery of
4 admissible evidence as the Complaint does not allege a continuing conspiracy, the end of the
5 class period is November 25, 2007, and claims prior to November 26, 2003, are barred by the
6 statute of limitations.

7 Responding Party objects to the extent this request seeks documents that are no longer
8 active or readily accessible in electronic form which renders this request overly broad and unduly
9 burdensome.

10 Responding Party objects to this request on the grounds that discovery of documents and
11 information related to foreign antitrust laws are not relevant to the allegations in the Complaint,
12 thus rendering this request overly broad, unduly burdensome, and not reasonably calculated to
13 lead to the discovery of admissible evidence.

14 Subject to and without waiving the general and specific objections stated above,
15 Responding Party declines to produce documents that may be responsive to this request.

16 **REQUEST NO. 37 [SIC] REQUEST NO. 42:**

17 All Documents relating to, prepared for, submitted to, or received by You as a result of
18 any investigation or research conducted either internally or by an outside entity with respect to
19 price fixing, price manipulation or manipulation of production or capacity of CRT or CRT
20 Products.

21 **RESPONSE TO REQUEST NO. 37 [SIC] REQUEST NO. 42:**

22 Responding Party reasserts and incorporates each of the General Objections and
23 Objections to Definitions and Instructions set forth above.

24 Responding Party objects to this request on the grounds that it is overly broad, unduly
25 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence
26 including to the extent that it seeks the discovery of documents regarding Responding Party’s
27 sales outside of the United States and unrelated to United States commerce, as such sales are
28 beyond the scope of this litigation and thereby render the Document Requests overly broad,

1 unduly burdensome, and not reasonably calculated to lead to the discovery of admissible
2 evidence.

3 Responding Party objects to this request on the grounds that it seeks information in excess
4 of the limited scope of discovery permitted by the Stay Order, as the Stay Order states that “no
5 discovery shall be conducted in this case (including, without limitation, document requests,
6 interrogatories, requests to admit, or depositions) that reflects, refers to, or relates to grand jury
7 proceedings concerning CRTs or CRT products, including any party’s or witness’s
8 communications with the United States, or with any grand jury investigating CRTs or CRT
9 products, except by the order of the Court upon good cause shown and consistent with governing
10 law.” Stipulation and Order to Extend Limited Discovery Stay, ¶ 3 (January 5, 2010).

11 Responding Party objects to this request on the grounds that it seeks production of
12 documents protected by the attorney-client privilege, work product doctrine, joint defense or
13 common interest privilege, or by any other applicable doctrine or privilege.

14 Responding Party objects to this request on the grounds it seeks information and/or
15 documents that would disclose confidential information protected by any and all rights of privacy
16 under the United States Constitution or any other applicable law, or that is otherwise prohibited
17 from disclosure because to do so would cause Responding Party to violate legal and/or
18 contractual obligations to any other persons or entities.

19 Responding Party objects to this request on the grounds that, to the extent it seeks
20 documents regarding “CRT Products,” as distinguished from “CRTs,” this request is vague and
21 ambiguous, overly broad and unduly burdensome, and purports to call for information that is not
22 relevant to the claim or defense of any party, not relevant to the subject matter involved in this
23 action, and not reasonably calculated to lead to the discovery of admissible evidence.

24 Responding Party objects on the grounds that the “Relevant Time Period” is overly broad
25 and not relevant, rendering the request not reasonably calculated to lead to the discovery of
26 admissible evidence as the Complaint does not allege a continuing conspiracy, the end of the
27 class period is November 25, 2007, and claims prior to November 26, 2003, are barred by the
28 statute of limitations.

1 Responding Party objects to the extent this request seeks documents that are no longer
2 active or readily accessible in electronic form which renders this request overly broad and unduly
3 burdensome.

4 Responding Party objects to this request on the grounds that discovery of documents and
5 information related to foreign antitrust laws are not relevant to the allegations in the Complaint,
6 thus rendering this request overly broad, unduly burdensome, and not reasonably calculated to
7 lead to the discovery of admissible evidence.

8 Subject to and without waiving the general and specific objections stated above,
9 Responding Party declines to produce documents that may be responsive to this request.

10 **REQUEST NO. 38 [SIC] REQUEST NO. 43:**

11 All Documents relating to the termination, retirement, discipline, discharge or suspension
12 of any director, officer, or Employee who had any responsibility relating to the production,
13 manufacture, distribution, marketing, pricing or sale of CRT or CRT Products.

14 **RESPONSE TO REQUEST NO. 38 [SIC] REQUEST NO. 43:**

15 Responding Party reasserts and incorporates each of the General Objections and
16 Objections to Definitions and Instructions set forth above.

17 Responding Party objects to this request on the grounds that it is overly broad, unduly
18 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence
19 including to the extent that it seeks the discovery of documents regarding Responding Party's
20 sales outside of the United States and unrelated to United States commerce, as such sales are
21 beyond the scope of this litigation and thereby render the Document Requests overly broad,
22 unduly burdensome, and not reasonably calculated to lead to the discovery of admissible
23 evidence.

24 Responding Party objects to this request on the grounds that it seeks production of
25 documents protected by the attorney-client privilege, work product doctrine, joint defense or
26 common interest privilege, or by any other applicable doctrine or privilege.

27 Responding Party objects to this request on the grounds it seeks information and/or
28 documents that would disclose confidential information protected by any and all rights of privacy

1 under the United States Constitution or any other applicable law, or that is otherwise prohibited
2 from disclosure because to do so would cause Responding Party to violate legal and/or
3 contractual obligations to any other persons or entities.

4 Responding Party objects to this request on the grounds that, to the extent it seeks
5 documents regarding “CRT Products,” as distinguished from “CRTs,” this request is vague and
6 ambiguous, overly broad and unduly burdensome, and purports to call for information that is not
7 relevant to the claim or defense of any party, not relevant to the subject matter involved in this
8 action, and not reasonably calculated to lead to the discovery of admissible evidence.

9 Responding Party objects on the grounds that the “Relevant Time Period” is overly broad
10 and not relevant, rendering the request not reasonably calculated to lead to the discovery of
11 admissible evidence as the Complaint does not allege a continuing conspiracy, the end of the
12 class period is November 25, 2007, and claims prior to November 26, 2003, are barred by the
13 statute of limitations.

14 Responding Party objects to the extent this request seeks documents that are no longer
15 active or readily accessible in electronic form which renders this request overly broad and unduly
16 burdensome.

17 Responding Party objects on the grounds that, to the extent this request seeks documents
18 not related to the allegations in the Complaint, this request is overly broad and unduly
19 burdensome, and purports to call for information that is not relevant to the claim or defense of
20 any party, not relevant to the subject matter involved in this action, and not reasonably calculated
21 to lead to the discovery of admissible evidence.

22 Responding Party objects to this request on the grounds that it seeks information in excess
23 of the limited scope of discovery permitted by the Stay Order, as the Stay Order states that “no
24 discovery shall be conducted in this case (including, without limitation, document requests,
25 interrogatories, requests to admit, or depositions) that reflects, refers to, or relates to grand jury
26 proceedings concerning CRTs or CRT products, including any party’s or witness’s
27 communications with the United States, or with any grand jury investigating CRTs or CRT
28 products, except by the order of the Court upon good cause shown and consistent with governing

1 law.” Stipulation and Order to Extend Limited Discovery Stay, ¶ 3 (January 5, 2010).

2 Subject to and without waiving the general and specific objections stated above,
3 Responding Party declines to produce documents that may be responsive to this request.

4 **REQUEST NO. 39 [SIC] REQUEST NO. 44:**

5 All Documents referring to or relating to plaintiffs in this litigation.

6 **RESPONSE TO REQUEST NO. 39 [SIC] REQUEST NO. 44:**

7 Responding Party reasserts and incorporates each of the General Objections and
8 Objections to Definitions and Instructions set forth above.

9 Responding Party objects to this request on the grounds that it is overly broad, unduly
10 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence
11 including to the extent that it seeks the discovery of documents regarding Responding Party’s
12 sales outside of the United States and unrelated to United States commerce, as such sales are
13 beyond the scope of this litigation and thereby render the Document Requests overly broad,
14 unduly burdensome, and not reasonably calculated to lead to the discovery of admissible
15 evidence.

16 Responding Party objects to this request on the grounds that it seeks production of
17 documents protected by the attorney-client privilege, work product doctrine, joint defense or
18 common interest privilege, or by any other applicable doctrine or privilege.

19 Responding Party objects to this request on the grounds it seeks information and/or
20 documents that would disclose confidential information protected by any and all rights of privacy
21 under the United States Constitution or any other applicable law, or that is otherwise prohibited
22 from disclosure because to do so would cause Responding Party to violate legal and/or
23 contractual obligations to any other persons or entities.

24 Responding Party objects to this request on the grounds that, to the extent it seeks
25 documents regarding “CRT Products,” as distinguished from “CRTs,” this request is vague and
26 ambiguous, overly broad and unduly burdensome, and purports to call for information that is not
27 relevant to the claim or defense of any party, not relevant to the subject matter involved in this
28 action, and not reasonably calculated to lead to the discovery of admissible evidence.

1 Responding Party objects on the grounds that the “Relevant Time Period” is overly broad
 2 and not relevant, rendering the request not reasonably calculated to lead to the discovery of
 3 admissible evidence as the Complaint does not allege a continuing conspiracy, the end of the
 4 class period is November 25, 2007, and claims prior to November 26, 2003, are barred by the
 5 statute of limitations.

6 Responding Party objects to the extent this request seeks documents or information that is
 7 not within the possession, custody, or control of Responding Party.

8 Responding Party objects to the extent this request seeks documents or information that
 9 require discovery of information and materials from third parties or sources that are equally if not
 10 more accessible to Plaintiffs.

11 Subject to and without waiving the general and specific objections stated above,
 12 Responding Party declines to produce documents that may be responsive to this request.

13 **REQUEST NO. 40 [SIC] REQUEST NO. 45:**

14 All Documents that You claim would have been available to the plaintiffs or any
 15 purchaser of CRT or CRT Products prior to November 2007, which should have caused the
 16 plaintiffs or any such purchaser to investigate whether there was a conspiracy to fix, raise,
 17 maintain or stabilize the prices or to control or restrict sales of CRT or CRT Products in the
 18 United States.

19 **RESPONSE TO REQUEST NO. 40 [SIC] REQUEST NO. 45:**

20 Responding Party reasserts and incorporates each of the General Objections and
 21 Objections to Definitions and Instructions set forth above.

22 Responding Party objects to this request on the grounds that it is overly broad, unduly
 23 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence
 24 including to the extent that it seeks the discovery of documents regarding Responding Party’s
 25 sales outside of the United States and unrelated to United States commerce, as such sales are
 26 beyond the scope of this litigation and thereby render the Document Requests overly broad,
 27 unduly burdensome, and not reasonably calculated to lead to the discovery of admissible
 28 evidence.

1 Responding Party objects to this request on the grounds that it seeks production of
2 documents protected by the attorney-client privilege, work product doctrine, joint defense or
3 common interest privilege, or by any other applicable doctrine or privilege.

4 Responding Party objects to this request on the grounds it seeks information and/or
5 documents that would disclose confidential information protected by any and all rights of privacy
6 under the United States Constitution or any other applicable law, or that is otherwise prohibited
7 from disclosure because to do so would cause Responding Party to violate legal and/or
8 contractual obligations to any other persons or entities.

9 Responding Party objects to this request on the grounds that, to the extent it seeks
10 documents regarding “CRT Products,” as distinguished from “CRTs,” this request is vague and
11 ambiguous, overly broad and unduly burdensome, and purports to call for information that is not
12 relevant to the claim or defense of any party, not relevant to the subject matter involved in this
13 action, and not reasonably calculated to lead to the discovery of admissible evidence.

14 Responding Party objects on the grounds that the “Relevant Time Period” is overly broad
15 and not relevant, rendering the request not reasonably calculated to lead to the discovery of
16 admissible evidence as the Complaint does not allege a continuing conspiracy, the end of the
17 class period is November 25, 2007, and claims prior to November 26, 2003, are barred by the
18 statute of limitations.

19 Responding Party objects to the extent this request seeks documents that are no longer
20 active or readily accessible in electronic form which renders this request overly broad and unduly
21 burdensome.

22 Responding Party objects to the extent this request seeks documents or information that is
23 not within the possession, custody, or control of Responding Party.

24 Responding Party objects to the extent this request seeks documents or information that
25 require discovery of information and materials from third parties or sources that are equally if not
26 more accessible to Plaintiffs.

27 Responding Party objects to this request as inappropriately propounded as a document
28 request, as it seeks information more easily obtainable through other means and/or as to which

1 Plaintiffs bear the burden of proof.


2 Responding Party objects to the extent this request is argumentative and assumes facts not
3 in evidence.

4 Subject to and without waiving the general and specific objections stated above,
5 Responding Party declines to produce documents that may be responsive to this request.

6 Dated: May 12, 2010

MORGAN, LEWIS & BOCKIUS LLP

7
8 By



9 Diane L. Webb
10 Attorneys for Defendant
11 HITACHI AMERICA, LTD.
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